



CITY OF SALISBURY

125 N. Division Street, Salisbury, MD 21801

LEGISLATIVE SESSION

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

Monday, August 24, 2026 6:00 PM

APRIL R. JACKSON
President

SHARON C. DASHIELL
Council Vice President

ANGELA M. BLAKE
Councilwoman

MICHELE R. GREGORY
Councilwoman

MELISSA D. HOLLAND
Councilwoman

CALL TO ORDER

WELCOME/ANNOUNCEMENTS/PLEDGE

INVOCATION - Rev. Chelsea Spyres, Asbury United Methodist Church

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

CONSENT AGENDA

- Meeting Minutes
March 30, 2026 Special Legislative Session
April 13, 2026 Legislative Session
April 13, 2026 Work Session
April 27, 2026 Legislative Session
April 27, 2026 Work Session
May 11, 2026 Legislative Session
May 11, 2026 Work Session
May 26, 2026 Legislative Session
June 8, 2026 Legislative Session
- Bicycle and Pedestrian Committee
Resolution No. 3479 - appointing Elizabeth Mulvihill to the Bicycle and Pedestrian Committee for term ending August 2029.

AWARD OF BIDS

- Award of Bid(s)
 1. ITB 27-107 City Park Lighting Poles and mounting materials \$ 217,749.75

PUBLIC HEARING

- Revise Cannabis Grower and Processor Distances - 2nd Reading
Ordinance No. 3012 - amending sections 17.36.020, 17.36.045, 17.76.050, and 17.80.040 of the Salisbury City Code to revise cannabis grower and processor distances.

ORDINANCES

- Reallocation of PAYGO Funds to the City Park Master Plan Project - 2nd reading
Ordinance No. 3015 - authorizing the Mayor to reallocate PAYGO funds from the St. Peters main street project and the Schumaker pond project to the City Park master plan project.

- Reallocating 2012 Bond to Zoo Facility Improvements - 1st Reading
Ordinance No. 3016 - amending and supplementing Ordinance No. 2140, passed by the Council on March 14, 2011, approved by the Mayor of City of Salisbury (the “City”) on March 18, 2011 and effective on March 18, 2011 (“ordinance no. 2140”), as previously amended and supplemented, in order to (1) authorize and empower the city to use and apply certain investment earnings on the \$7,693,000 City of Salisbury public improvements bond of 2012 issued on May 3, 2012 (the “2012 bond”) to a project identified herein as “zoo facility improvements,” in addition to the projects originally identified in Ordinance no. 2140, as previously amended and supplemented, and (2) identify such additional project as a “project” for all purposes of Ordinance no. 2140, as amended and supplemented; providing that this title is a fair statement of the substance of this Ordinance; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this ordinance; providing that the provisions of this ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2012 bond.
- Reallocating 2013 Bond to Zoo Facility Improvements - 1st Reading
Ordinance No. 3017 - amending and supplementing Ordinance No. 2273, passed by the Council on December 16, 2013, approved by the Mayor of City of Salisbury (the “City”) on December 16, 2013 and effective on December 16, 2013 (“Ordinance No. 2273”), as previously amended and supplemented, in order to (1) authorize and empower the city to use and apply certain investment earnings on the \$3,178,000 City of Salisbury public improvements bond of 2013 issued on December 23, 2013 (the “2013 bond”) to a project identified herein as “zoo facility improvements,” in addition to the projects originally identified in Ordinance No. 2273, as previously amended and supplemented, and (2) identify such additional project as a “project” for all purposes of Ordinance No. 2273, as amended and supplemented; providing that this title is a fair statement of the substance of this ordinance; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2013 bond.
- Reallocating 2014A Bond to Zoo Facility Improvements - 1st Reading
Ordinance No. 3018 - amending and supplementing Ordinance No. 2299, passed by the Council on August 25, 2014, approved by the Mayor of City of Salisbury (the “City”) on August 28, 2014 and effective on August 28, 2014 (“Ordinance No. 2299”), in order to (1) authorize and empower the City to use and apply certain investment earnings on the \$4,009,000 City of Salisbury public improvements bond, series 2014a issued on September 26, 2014 (the “2014a bond”) to a project identified herein as “zoo facility improvements,” in addition to the project originally identified in Ordinance No. 2299, and (2) identify such additional project as part of the “project” for all purposes of Ordinance No. 2299; providing that this title is a fair statement of the substance of this ordinance; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this Ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2014a bond.
- Reallocating 2015 Bond to Zoo Facility Improvements - 1st Reading
Ordinance No. 3019 - amending and supplementing Ordinance No. 2357, passed by the Council on October 12, 2015, approved by the Mayor of City of Salisbury (the “City”) on October 14, 2015 and effective on October 14, 2015 (“Ordinance No. 2357”), as previously amended and supplemented, in order to (1) authorize and empower the City to use and apply certain investment earnings on the \$4,726,200 City of Salisbury public improvements bond of 2015 issued on December 1, 2015 (the “2015 bond”) to a project identified herein as “zoo

facility improvements,” in addition to the projects originally identified in Ordinance No. 2357, as previously amended and supplemented, and (2) identify such additional project as a “project” for all purposes of Ordinance No. 2357, as amended and supplemented; providing that this title is a fair statement of the substance of this ordinance; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this Ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2015 bond.

- Reallocating 2016 Bonds to Zoo Facility Improvements - 1st Reading

Ordinance No. 3020 - amending and supplementing Ordinance No. 2394, passed by the Council on July 18, 2016, approved by the Mayor of City of Salisbury (the “City”) on July 19, 2016 and effective on July 19, 2016 (“Ordinance No. 2394”), as amended and supplemented to date, in order to (1) authorize and empower the City to use and apply a certain investment earnings on the \$20,030,000 City of Salisbury public improvement and refunding bonds of 2016 issued on July 28, 2016 (the “2016 bonds”) to the project identified herein as “zoo facility improvements,” and (2) identify such additional project as a “project” for all purposes of Ordinance No. 2394 (as amended and supplemented); providing that this title is a fair statement of the substance of this Ordinance; authorizing certain city officials to take certain actions in connection with the transactions contemplated by this ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2016 bonds.

- Reallocating 2017 Bond to Zoo Facility Improvements - 1st Reading

Ordinance No. 3021 - amending and supplementing Ordinance No. 2463, passed by the Council on November 13, 2017, approved by the mayor of City of Salisbury (the “City”) on November 15, 2017 and effective on November 15, 2017 (“Ordinance No. 2463”), as previously amended and supplemented, in order to (1) authorize and empower the City to use and apply certain investment earnings on the \$5,724,853 City of Salisbury public improvements bond of 2017 issued on December 13, 2017 (the “2017 bond”) to a project identified herein as “zoo facility improvements,” in addition to the projects originally identified in Ordinance No. 2463, as previously amended and supplemented, (2) identify such additional project as a “project” for all purposes of Ordinance No. 2463, as amended and supplemented; providing that this title is a fair statement of the substance of this ordinance, and (3) reverse certain allocations previously made by Ordinance No. 2649 identified herein; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this Ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2017 bond.

- Reallocating 2019 Bond to Zoo Facility Improvements - 1st Reading

Ordinance No. 3022 - amending and supplementing Ordinance No. 2554, passed by the council on August 26, 2019, approved by the Mayor of City of Salisbury (the “City”) on August 27, 2019 and effective on August 27, 2019 (“Ordinance No. 2554”), as amended and supplemented to date, in order to (1) authorize and empower the City to use and apply a portion of the principal amount of and certain investment earnings on the \$11,225,000 City of Salisbury public improvement bonds of 2019 issued on October 8, 2019 (the “2019 bonds”) to the project identified herein as “zoo facility improvements,” and (2) identify such additional project as a “project” for all purposes of Ordinance No. 2554 (as amended and supplemented); providing that this title is a fair statement of the substance of this Ordinance; authorizing certain City officials to take certain actions in connection with the transactions contemplated by this Ordinance; providing that the provisions of this Ordinance shall be liberally construed; and

otherwise generally relating to the use of proceeds of the 2019 bonds.

- Reallocating 2021 Bonds to zoo Facility Improvements - 1st Reading
Ordinance No. 3023 - amending and supplementing Ordinance No. 2675, passed by the Council on July 26, 2021, approved by the mayor of City of Salisbury (the “City”) on July 26, 2021 and effective on July 26, 2021 (“Ordinance No. 2675”), as amended and supplemented to date, in order to (1) authorize and empower the City to use and apply a portion of the principal amount of and certain other amounts relating to the \$8,965,000 City of Salisbury tax-exempt public improvement and refunding bonds of 2021 issued on September 1, 2021 (the “2021 tax-exempt bonds”) to the project identified herein as “zoo facility improvements,” and (2) identify such additional project as a “project” for all purposes of Ordinance No. 2675 (as amended and supplemented); providing that this title is a fair statement of the substance of this Ordinance; authorizing certain city officials to take certain actions in connection with the transactions contemplated by this Ordinance; providing that the provisions of this Ordinance shall be liberally construed; and otherwise generally relating to the use of proceeds of the 2021 tax-exempt bonds.
- Ordinance for Accepting Funds From Main Street Improvement Grant FY27- 1st Reading
Ordinance No. 3024 - authorizing the Mayor to enter into a contract with the Maryland Department of Housing and Community Development for the purpose of accepting grant funds in the amount of \$26,000 and to approve a Budget Amendment to the grant fund to appropriate these funds for the Arts, Business and Culture Department.
- Ordinance for Accepting Funds From Maryland State Arts Council-Arts and Entertainment Grant FY27-1st Reading
Ordinance No. 3025 - authorizing the Mayor to enter into a contract with the Maryland State Arts Council for the purpose of accepting grant funds in the amount of \$16,500 and to approve a Budget Amendment to the Grant Fund to appropriate these funds for the Arts, Business and Culture Department.
- CFES Workforce Development Grant 2026 - 1st Reading
Ordinance No. 3026 - accept grant funds from the Community Foundation of the Eastern Shore in the amount of \$7,500 for the Summer Youth Employment Program.

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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**SPECIAL MEETING
MEETING MINUTES
MARCH 30, 2026**

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

Absent: Councilwoman Angela M. Blake

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, Deputy City Clerk Hannah Long, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Special Legislative Session on March 30, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. She then asked everyone to bow for a moment of silence, then stand for the Pledge of Allegiance.

WOMEN'S HISTORY MONTH

Councilwoman Holland presented Maryland State Delegate, Sheree Sample-Hughes with a Certificate of Recognition for Women's History Month.

Councilwoman Gregory presented Dominique Sessa, the founder of The Girl in the Pink Wheelchair, with a Certificate of Recognition for Women's History Month.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. Long presented the legislative agenda.

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Melissa D. Holland motioned and Michele R. Gregory seconded. The vote was 4-0.

CONSENT AGENDA

Ms. Long presented the Consent Agenda items. The items were as follows:

- Meeting Minutes

March 2, 2026 Special Legislative Session

March 2, 2026 Work Session
March 9, 2026 Legislative Session

President Jackson called for a motion and a second to approve the consent agenda. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 4-0.

RESOLUTIONS

Ms. Bosche presented the resolution below.

- Rules of Order Amendment

Resolution No. 3467 - To amend the Salisbury City Council Regulations and Rules of Order. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 4-0.

ORDINANCES

Ms. Bosche presented the following ordinances.

- Requisition of 303 Lake Street - 2nd Reading

Ordinance No. 2984 - To purchase improved real property located at 303 Lake Street, Salisbury, Maryland for a public purpose. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 4-0.

- Requisition of 1123 Parsons Road - 2nd Reading

Ordinance No. 2985 - To purchase improved real property located at 1123 Parsons Rd., Salisbury, Maryland for a public purpose. Melissa D. Holland motioned and Michele R. Gregory seconded. The vote was 4-0.

- Budget Amendment - SFD Dive Equipment

Ordinance No. 2986 - Approving a budget amendment of the FY2026 General Fund budget to appropriate \$8,834.00 to the Salisbury Fire Department's operating budget. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 4-0.

- Grant Acceptance - SFD Impermeable Gear Bags

Ordinance No. 2987 - Approving the acceptance of a grant from the Franklin P. Arthur W. Perdue Foundation, Inc. in the amount of \$18,358.00 for the purchase of impermeable turnout gear bags and to appropriate the funds. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 4-0.

- Authorized Position Changes

Ordinance No. 2988 - Approving a budget amendment of the FY2026 general fund budget and authorizing the mayor to amend the authorized positions included in the FY26 general fund budget. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 4-0.

PUBLIC COMMENT

The following public comments were heard:

- Speaker #1 supported the Westside Community Center purchase but called for greater transparency on costs, funding, and timeline.
- Speaker #2 commended the City Clerk's Office for updating meeting minutes, highlighted progress on city projects, noted that early-stage projects may not yet have firm cost estimates, and recognized improved meeting efficiency under leadership.

ADMINISTRATION COMMENTS

Mr. Rice announced a new exhibit opening at Poplar Hill Mansion and reminded the public that Hops on the River was coming up in April.

Mayor Taylor highlighted upcoming Spring events, defended the West Salisbury Community Center purchase as a cost-effective investment, explained that detailed plans and bids will follow after settlement, and expressed confidence in the city's financial management of the project.

COUNCIL COMMENTS

Ms. Holland thanked colleagues and residents for their patience with rules updates, reflected on attending a meaningful veteran's event, noted an upcoming Green Team meeting, and encouraged everyone to enjoy the improving weather.

Ms. Gregory promoted a disability rights forum, noted a pending state budget vote, and encouraged residents to contact state leaders to support restoring funding for disability services.

Ms. Dashiell shared updates from the Salisbury University Town-Gown meeting, highlighted community events and recognitions, celebrated a large-scale volunteer dental clinic, and noted the upcoming closure of the cold weather shelter.

Ms. Jackson shared about the veteran gathering, announced upcoming civic engagement and voter education events, promoted the police academy program, and closed with a reminder to continue community involvement.

ADJOURNMENT

The Special Legislative Session adjourned at 6:37 p.m.

City Clerk

Council President



**LEGISLATIVE SESSION
MEETING MINUTES
APRIL 13, 2026**

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, City Clerk Julie English, City Solicitor Ashley Bosche, Sheriff Mike Lewis, States Attorney Jamie Dykes

CALL TO ORDER

The City Council convened in Legislative Session on April 13, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS/PLEDGE

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. Due to the increased number of attendees, she asked that no one sit on the floor and to maintain a walking path from the hallway into the chambers. She added that the television down the hall would be on and streaming the meetings for those who were in the hallway. President Jackson asked that the meeting be respectful and cordial. She advised that everyone could respectfully agree to disagree. She also noted that if she had to speak to anyone more than twice, they would be removed.

INVOCATION - Rev. Dr. David L. McLendon - St. James AME Zion Church

Due to an emergency, Rev. Dr. David McLendon was not able to attend to provide the Invocation. President Jackson called for a moment of silence.

At this time, Councilwoman Dashiell was asked to lead everyone in the pledge to the flag.

PROCLAMATION

- Proclamation - Colonel Howard Drewer

In recognition for his retirement and service, Colonel Howard Scott Drewer was recognized by the following: Mayor's Office, Salisbury Police Department, State of Maryland, Wicomico County Sheriff's Office and the City Council. In addition, Colonel Drewer's wife was also recognized for her support and understanding.

During his presentation, Sheriff Lewis took time to share his support for the Salisbury Police Department and to advocate for the unions.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. English presented the legislative agenda.

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Angela M. Blake motioned and Sharon C. Dashiell seconded. The vote was 5-0.

CONSENT AGENDA

Ms. English presented the Consent Agenda items. The items were as follows:

President Jackson called for a motion and a second to approve the consent agenda. Michele R. Gregory motioned and Angela M. Blake seconded. The vote was 5-0.

- Meeting Minutes: March 23, 2026 Work Session and Legislative Session
- Appointment to the Sustainability Advisory Committee - I Wilk
- Appointment to the Youth Development Advisory Committee - R. Reed
- Parks & Recreation Committee Appointment - C. Grande

President Jackson congratulated and thanked those who were appointed to committees.

AWARD OF BIDS

Mr. Lowe presented the following:

ITB 26-126 Pierce Fire Engine

ITB 26-115 Motorola Radios SPD

RFP 26-102 Lead Service Line Replacement Phase 1 Engineering

RFP 26-103 Lease Financing Services

President Jackson called for a motion and a second to approve the award of bids. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

RESOLUTIONS

- Salisbury GO Bond/Adoption of Resolution No. 3471

Presented by Ms. Bosche

Resolution No. 3471 - authorizing and empowering the city of Salisbury (the "city") to issue, sell and deliver, upon its full faith and credit, a general obligation installment bond in original principal amount not to exceed \$2,800,000.00, subject to reduction as described herein, such bond to be designated as the "city of Salisbury tax-exempt public improvements bond of 2026" (the "bond"), the proceeds of the sale thereof to be used and applied for the public purpose of financing or reimbursing costs of the public purposed projects and other purposes identified herein; prescribing the form and tenor of the bond and the terms and conditions for the issuance and sale thereof by private sale in a direct purchase transaction to Calvin B. Taylor banking co. of Berlin, Maryland; prescribing the terms of the bond and other details incident to the issuance, sale and delivery of the bond, and authorizing certain officials of the city to determine certain final details

relating to the bond; providing for the disbursement and investment of the proceeds of the bond; providing for the imposition of taxes necessary for the prompt payment of the principal of and interest on the bond; providing that the full faith and credit and unlimited taxing power of the city are pledged to the payment of such principal and interest; providing that the principal of and interest on the bond also may be paid from any other sources of revenue lawfully available to the city for such purpose; making or providing for certain representations, covenants, determinations or designations relating to the tax -exempt status of the bond; authorizing certain city officials to take certain actions under certain additional circumstances as provided for herein; providing certain rules of construction; providing that the provisions of this resolution shall be liberally construed; and generally relating to the issuance, sale, delivery and payment of and for the bond. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

ORDINANCES

- Budget Amendment - SFD Dive Equipment - 2nd Reading

Presented by Ms. Bosche

Ordinance No. 2986 - approving a budget amendment of the FY2026 General Fund budget to appropriate \$8,834.00. Melissa D. Holland motioned and Angela M. Blake seconded. The vote was 5-0.

- Grant Acceptance - SFD Impermeable Gear Bags - 2nd Reading

Presented by Ms. Bosche

Ordinance No. 2987 - approving the acceptance of a grant from the Franklin P. and Arthur W. Perdue Foundations, Inc. in the amount of \$18,358.00 for the purchase of impermeable turnout gear bags and to appropriate the funds to the Salisbury Fire Department. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- Authorized Position Changes - 2nd Reading

Presented by Ms. Bosche

Ordinance No. 2988 - approving a budget amendment of the FY2026 general fund budget and authorizing the mayor to amend the authorized positions included in FY26 general fund budget. Sharon C. Dashiell motioned and Angela M. Blake seconded. The vote was 5-0.

- Ordinance for MIEMSS ALS Education Grant - 1st Reading

Presented by Ms. Bosche

Ordinance No. 2989 - authorizing the Mayor to enter into a contract with the Maryland Institute for Emergency Medical Service System for the purpose of accepting Grant Funds in the amount of \$6,972.00, and to approve a Budget Amendment to the Grant Fund to appropriate these funds for the Salisbury Fire Department. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- MDH Innovative Cancer Screening Technologies Grant - 1st Reading

Presented by Ms. Bosche

Ordinance No. 2990 - authorizing the Mayor to enter into a contract with the Maryland Department of Health for the purpose of accepting grant funds in the amount of \$31,642, and to approve a budget amendment to the grand fund to appropriate these funds for the Salisbury Fire Department. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

ADJOURNMENT/CONVENE INTO WORK SESSION

The Legislative Session was adjourned at 6:39 p.m.

City Clerk

Council President



**WORK SESSION
MEETING MINUTES
APRIL 13, 2026**

PUBLIC OFFICIALS

Present: Council President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

CALL TO ORDER

President Jackson called the Work Session to order at 6:39 p.m.

RESOLUTION

- North Schumaker Dr. Annexation

President Jackson called the Department of Infrastructure and Development forward to present the annexation for North Schumaker Drive. The Infrastructure and Development Director and Associate Planner Zack White explained that Camden Development LLC requested the annexation of 12.87 acres on North Schumaker Drive, in addition to an adjacent roadway and a portion of waterway. Sixty town home units were proposed in a R20 residential zone. The Salisbury-Wicomico Planning Commission recommended R10A zoning at a meeting in August 2025. City Council received this recommendation favorably in November 2025.

Unanimous consensus was given to move this forward to legislative session.

- Resolution to Amend SC7-25

Ms. Bosche explained that the SC7-25 amendment was before council several months ago for the purpose of changing the requirements of signatures and authorizations for disbursements. Due to the snowstorm in February, it was realized that sufficient notice was not provided prior to the public hearing. To correct a procedural error, the charter amendment resolution was reintroduced.

Unanimous concensus was given by the council to move this forward to legislative session.

- Resolution to Repeal SC23

City Administrator Nick Rice shared a brief presentation regarding the financial situation of the city. He stated that the resolution was to remove the collective bargaining rights. He assured Council that this action had nothing to do with administration not wanting to pay law enforcement or public safety officers. Mr. Rice explained that the city had three separate collective bargaining units: fire, police and general employees. He added that the city generally held seven to nine million dollars in surplus year-over-year. When COVID hit, the city received a lot of one-time money. He then presented a graph comparing the increase in salaries and benefits to the percentage of revenue increase over the last two years.

From 2020 to 2025 the city received over \$11 million in one-time funding, some of which was used to cover wage increases. Mr. Rice stated that it was not sustainable to cover reoccurring operating costs with one-time surplus. He added that there were major increases in overtime due to things included in the collective bargaining agreements. Salaries and benefits had increased between 4.5 and 5 millions dollars and approximately six percent increase in wages year-over-year. Mr. Rice then shared a graph with projections from 2026-2031, if current situations continue, as soon as FY30 the city would run out of surplus funds. He mentioned some of the upcoming, increased costs such as employee health insurance, liability and property insurance, utility expenses. Another concern he addressed was the city's credit rating; if financials continued down this path, the interest rates would increase. Lastly, Mr. Rice informed council that the other Post-employment Benefits had not been funded since 2009; only 35% funded. Mr. Rice went on to explain that what he saw in looking over the financials was that some of the fundiung was based on having vacancies and savings during the year. That did not give the city a chance to earn a surplus.

Mayor Taylor added that even if taxes were raised 10%, it would not be enough to break even on an operating basis if the city continued with the current demands of union costs.

Ms. Dashiell asked if eliminating the unions allowed administration the opportunity to make the police department competative with other municipalities? Mr. Rice stated that it would and that administration had already met with the Fraternal Order of Police (FOP) to discuss the situation they were in. With having three bargaining units, there were restraints when bargaining. He explained that with three bargaining units, there were chances administration would end up in three separate arbitrations with three separate arbitrators. Even if collective bargaining went away, the council was the body that adopted the budget. Other options mentioned to sustain the current budget were tax increases, frozen positions, and an increase in water and sewer rates.

Ms. Dashiell asked how administration saw employees having a voice if collective bargaining was removed? Mr. Rice shared that administration was looking into the creation of employee consultation committees. He would like administration to have the opportunity to speak one-on-one with lower level staff.

Mayor Taylor added that unions were not needed to have discussions on parts of the union agreements and having them added to the employee handbook.

President Jackson shared her struggles with the situation but added that she did not want the city to crumble. She added that they could not give what is not there.

Ms. Gregory requested an update on the union negotiations. Mr. Rice responded that Administration had gone back and forth with all three unions; more time had been spent with the fire department. Ms. Gregory addressed the lack of revenue by encouraging development, stating administration had been against multiple developments which could have expanded the tax base and increased revenue. She also mentioned the multiple lawsuits that stemmed from the projects being halted. She blamed the city's financial situation on mismanagement at the mayoral level, and directly blamed Mayor Taylor.

President Jackson responded by stating there were numerous developments where the developer did not have to pay anything, and that was a financial loss. She specifically mentioned the developments on Beaglin Park Drive.

Mayor Taylor responded by stating that the city was not the Plaintiff in the Lots 1, 11, and 15 lawsuits. President Jackson added that the city sold properties for pennies, and gave the Marina as an example.

Ms. Blake was concerned that there was no disclosure of the cost from the lawsuits, and no update on the lawsuits or projected cost on dismantling the labor agreement. She added that there was no consistent payments on the fire service agreement. She also blamed leadership for not addressing the tax differential. Mayor Taylor responded that they were collecting \$2 million more than had been done in the past.

Ms. Holland thanked everyone for their public input, as it mattered to her. From her research on collective bargaining, the city's financial position and past mistakes, she found serious concerns with the current path the city was on and felt it was not sustainable. She added that the discussion was not about a lack of support or appreciation but about not making commitments that could not be maintained. She reminded everyone that it was a work session and no final decisions would be made. She ended by stating that the council could not fiscally rely on surplus.

Having no further questions, the following council members were in favor of moving this forward to legislative session: Ms. Holland, Ms. Jackson and Ms. Dashiell. Council members Gregory and Blake were not in favor of moving it forward. Having a majority in favor, the legislation was moved forward to legislative session.

ORDINANCE

- Removal of Timing Restrictions on Political Signs

Housing and Community Development Director Muir Boda presented legislation that would remove the time restrictions on displaying political signs. He shared that the Supreme Court and other courts had ruled that there could not be a separate standard for political signs versus other signs. The current legislation states that campaign signs can go up 90 days prior to an election. Once the election is over, signs must be removed within 7 days. His department had challenges with those who wanted to keep signs up for the "national political scene" to continue their support. Following conversations with the city's legal team, it was determined that enforcing this policy was unconstitutional.

Responding to a question from Ms. Dashiell, Mr. Boda stated that signs could not be placed in utility easements. In those situations, the property owner is notified that the sign must be 15 feet from the curb or the sign is removed immediately. Mr. Boda clarified that signs were not permitted to be placed on public property, in parks, in a right-of-way or on telephone poles. This legislation would provide consistent restrictions to all signs regardless of the type of sign.

Consensus was reached to move this forward to legislative session.

- Large Family Child Care Homes

President Jackson invited Infrastructure and Development Director Nick Voitiuc and City Planner Betsy Jackson forward to present legislation on large family child care homes. Ms. Dashiell asked if the agenda item could be tabled to gather more information on the item. Ms. Holland agreed with Ms. Dashiell, stating she received a lot of emails about it and would like to gather more information before she was willing to discuss it.

Ms. Gregory pointed out that it was a work session and that was the time to ask questions and receive information. President Jackson allowed a discussion. It was determined that the agenda item would go to the April 27 work session for further discussion.

Mr. Voitiuc explained that the state updated the definitions for small and large daycares. In addition, some residents expressed interest in adopting some of those rules to expand their daycares from small to large. Ms. Jackson added that the proposed legislation would permit daycares to have 4 additional children, a maximum of twelve children. Current legislation allowed up to 8 children. When taken before the Planning Commission, they decided the college and university, and hospital districts were already more commercial. However, with residential districts, there was concern regarding possible impacts to the neighborhoods. Ms. Jackson explained that having the special exception would assist with the varying neighborhoods. The Board of Appeals would decide on the exceptions.

President Jackson questioned the state's role in the legislation. Ms. Jackson responded that the state created the large family child care. Based on the zoning regulations, which determines the size of the daycare, the city had to allow either 8 or twelve children. The city could not create restrictions to allow less than that and must use the state's definitions for small and large daycares. The city definitions did not currently allow for large daycares.

Ms. Gregory shared that there was a shortage of daycare providers and there were discussions at the city about creating their own childcare program for employees. She referenced a recent presentation by a Wicomico women's group regarding the lack of childcare.

Following a question from President Jackson, Ms. Jackson explained that the legislation would only determine if the property was suitable with respect to zoning - traffic, indoor and outdoor space. The licensing requirements for the daycare was handled by the state.

President Jackson concluded by stating the council would do their own research and the agenda item would be brought back to council during the work session on the 27th.

- Weather Emergency Funding for the zoo

Zoo Director Chuck Eicholz presented an ordinance to council for additional funding (\$22,723) to replenish funds used to pay for extensive damage at the zoo as a result of the winter storms that occurred in February. The zoo had to remove numerous fallen trees and debris, along with repairing damaged buildings and fencing. Due to the unexpected costs, the zoo would not have sufficient funding to maintain required operational service levels for the remainder of the fiscal year.

Having no questions, council gave consensus to move this forward to legislative session.

- Surplus Budget Amendment

Field Operations Assistant Director Jordan Mann presented a budget amendment requesting the transfer of funds from the general fund to the Field Operations operating account in the amount of \$15,881. The funds were received from the surplus of vehicles and equipment.

Council reached consensus to move this forward to legislative session.

- Post Puller Budget Amendment

Ms. Mann presented another budget amendment in the amount of \$7,198. A Field Operations vehicle was parked and struck by another vehicle, which damaged a post puller. After receiving a check from the insurance company, Field Operations would like to accept that money and use it to repair the post puller.

Ms. Holland stated this was an example of something that should go directly to legislative session.

Consensus was received to move this item forward to legislative session.

PUBLIC COMMENT (4 minutes)

A summary of the public comments opposing a charter amendment to repeal SC23 are below:

- dissolving collective bargaining would result in: Salisbury Police Department closing its door, positions going unfilled, officers and fire fighters would leave, fewer qualified applicants would step forward, standards would be lowered, institutional knowledge would be lost, retention issues
- collective bargaining ensured competitive wages, safety of workers, a voice for the workers
- the message to employees was that their voices did not matter
- the reason for taking away collective bargaining rights were not related to the finances/budget
- the responsibilities of first responders and the dangers of their positions
- staffing shortages in the police department
- unions serve to protect the employees, give them a voice
- the city's financial situation could have been avoided
- the lack of development and costs associated with the lawsuits caused the financial situation
- the problem was not the budget but the leadership, lack of housing, or the need to annex in properties and tax people who received city services
- the need for a tax differential in Salisbury
- impacts on the community if the unions were dissolved included the ability to secure adequate insurance, grant funding, reducing injury and death and property loss
- stories and personal encounters with first responders were shared
- collective bargaining was about more than wages

Other public comments were as follows:

- concern as to why the survey from the Human Rights Advisory Committee had not been posted on the city website
- with regard to the large family child care homes agenda item, it was recommended to read the recent study released by the Greater Salisbury Committee, and additionally, separate the two topics in the current proposed legislation: state legislature updates and the zoning change
- when presented with the large family child care homes rezoning, the Planning & Zoning Commission vote resulted in a tie; a statement was then pointed out stating it was presumed to be a favorable report
- if an exemption is approved for the large family child care homes, that decision becomes permanent

ADMINISTRATION COMMENTS

Mr. Rice reminded everyone about the upcoming budget work sessions and city events.

Mayor Taylor spoke to the financial stability of the City in response to some of the public comments. He also spoke about his frustration with the misinformation out in the public.

(After an outburst from a councilwoman, President Jackson regained control of the meeting and asked Councilwoman Holland to share her comments.)

COUNCIL COMMENTS

Ms. Holland reminded everyone that she would continue to do her research and be a fiscal steward for the city. Lastly, she stated that the possible removal of collective bargaining did not mean they did not care about the employees. She hoped everyone would work together.

Ms. Gregory encouraged people to read the study that was referenced earlier in the meeting. She requested that the women's commission, who presented at the Wicomico County Council meeting, present at a City council meeting as well. Ms. Gregory spoke in opposition to the dismantling of collective bargaining.

Ms. Blake expressed her support for the union.

Ms. Dashiell acknowledged Jerry Jones for receiving the Public Health Leader award. She requested that the ACE (architects, construction, engineering) students share their presentation with the council.

President Jackson began by expressing her appreciation for the comments and those in attendance.

(At 9:26 p.m. Councilwoman Blake exited the meeting.)

President Jackson then expressed her appreciation to the employees of the city and hoped things could be worked out.

ADJOURNMENT

Having no further business to discuss, the work session adjourned at 9:28 p.m.

City Clerk

Council President



**LEGISLATIVE SESSION
MEETING MINUTES
APRIL 27, 2026**

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Legislative Session on April 27, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS/PLEDGE

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. She called forward Pastor Greg Carlson from Park Seventh Day Adventist to provide the invocation and then asked everyone to stand for the Pledge of Allegiance.

INVOCATION - Pastor Greg Carlson - Park Seventh Day Adventist

PROCLAMATION

President Jackson presented a proclamation recognizing Salisbury native Dominique Bailey for his outstanding athletic and academic achievements and congratulated him on signing with the Houston Texans as an undrafted free agent. She praised his hard work and proclaimed April 27, 2026, as "Dominique Bailey Day" in the City of Salisbury, and encouraged him to remember his hometown as he begins his NFL career.

ADMINISTRATION UPDATES

Mr. Rice provided an overview of the City's employee benefits package, highlighting retirement plans for public safety and general employees, comprehensive health insurance, paid leave, life insurance, employee assistance programs, tuition assistance, training opportunities, workers' compensation, and retiree health benefits. The presentation also outlined plans for a new Labor Management Committee to improve communication between employees and administration and to incorporate appropriate employment policies into the City's employee handbook.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. English presented the legislative agenda.

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

CONSENT AGENDA

Ms. English presented the Consent Agenda items. The items were as follows:

- Meeting Minutes

March 30, 2026 Special Legislative Session

April 13, 2026 Legislative Session

- Manufacturing Exemption - DiCarlo Precision Instrument

President Jackson called for a motion and a second to approve the consent agenda. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 5-0.

AWARD OF BIDS

Mr. Lowe presented the following:

- Award of Bid
ITB 26-121: Lake Street Park Improvements

President Jackson asked for a motion and second to approve the award of bids. Michele R. Gregory motioned and Sharon C. Dashiell seconded. The vote was 5-0.

CHARTER AMENDMENT RESOLUTIONS

Ms. Bosche presented the following charter amendment resolutions.

- Resolution to Amend SC7-25 - 1st Reading

Charter Amendment Resolution No. 2026-2 - to amend SC7-25 of the charter of the City of Salisbury to change the signatures and authorizations requirements for disbursements. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 5-0.

- Resolution to Repeal SC23 - 1st Reading

Charter Amendment Resolution No. 2026-3 - to amend Article XXIII of the Charter authorizing collective bargaining by repealing Article XXIII in its entirety and abrogating all collective bargaining rights. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 3-2.

ORDINANCES

Presented by Ms. Bosche

- Ordinance for MIEMSS ALS Education Grant - 2nd Reading

Ordinance No. 2989 - authorizing the Mayor to enter into a contract with the Maryland Institute for Emergency Medical Service System for the purpose of accepting grant funds in the amount of \$6,972.00 and to approve a budget amendment to the grant fund to appropriate these funds for the Salisbury Fire Department. Melissa D. Holland motioned and Michele R. Gregory seconded. The vote was 5-0.

- MDH Innovative Cancer Screening Technologies Grant - 2nd Reading

Ordinance No. 2990 - authorizing the Mayor to enter into a contract with the Maryland Department of Health for the purpose of accepting grant funds on the amount of \$31,642 and to approve a budget amendment to the grant fund to appropriate these funds for the Salisbury Fire Department. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 5-0.

- Removal of Timing Restrictions on Political Signs-1st Reading

Ordinance No. 2991 - amending Chapter 17 of the Salisbury City Code, entitled "17.216.050-Signs Which May Be Erected in any District" to remove the time restrictions on the display political signs. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 5-0.

- Surplus Budget Amendment - 1st Reading

Ordinance No. 2992 - approving a budget amendment of the FY2026 General Fund Budget to appropriate \$15,881.00 to the Fields Operations operating budget after the City received \$15,881.00 in proceeds generated from the auction sale of surplus vehicles and equipment. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

- Weather Emergency Funding for the zoo - 1st reading

Ordinance No. 2993 - approving a budget amendment to appropriate \$22,723.60 to the Salisbury Zoo's operating budget to cover unexpected costs and expenses caused by the February 2026 Winter storm. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

- Post Puller Budget Amendment - 1st Reading

Ordinance No. 2994 - approving a budget amendment of the FY2026 General Fund Budget to appropriate \$7,198.00 to the Field Operations operating budget following receipt of insurance proceeds for a damaged traffic unit post puller. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 5-0.

- Electrical Permit Fee Ordinance - 1st Reading

Ordinance No. 2995 - amending the City of Salisbury Fiscal Year 26 Fee Schedule to add Electrical Permit Fees. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

ADJOURNMENT/CONVENE INTO WORK SESSION

The Legislative Session was adjourned at 6:30 p.m.

City Clerk

Council President



**WORK SESSION
MEETING MINUTES
APRIL 27, 2026**

PUBLIC OFFICIALS

Present: Council President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, Fire Chief Rob Frampton, Assistant Director Jordan Mann, Director of Infrastructure and Development Nick Voitiuc, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Work Session on April 27, 2026 at 6:30 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

PRESENTATION

- **1st Quarter SFD Statistical Report**

Chief Frampton reported that EMS call volume was down 1.6% from the 2025 first quarter, with city call volume up 3.8% and out-of-district calls down. Outside agencies assisted 34 times and EMS units were used 56 times when local units were unavailable. The department reported a 32% cardiac arrest resuscitation rate, above the national average, and zero fire fatalities with two minor civilian injuries. Fire response times averaged approximately 4 minutes, and the Fire Marshal's Office completed 491 inspections, 72 plan reviews, and generated about \$316,000 in revenue. He highlighted ongoing staffing readiness, equipment updates - including a new rescue truck and drone program, the cadet program and junior fire academies, and new safety policies including continuous SCBA use and improved protective equipment protocols.

- **Budget Presentation**

Mr. Rice presented the proposed FY27 budget, highlighting that it balanced employee compensation, essential services, and long-term fiscal responsibility despite rising costs. He noted that the budget absorbed a 19% increase in employee health insurance costs, included a one-step salary increase for all employees, fully funded career ladder and merit increases, and did not increase the property tax rate for the fourth consecutive year. The proposal added four police cadet positions, reorganized Waterworks leadership, allocated \$ 925,000 for road and sidewalk improvements, and dedicated more than \$1 million in PFAS litigation funds to water and sewer capital projects. He added that it also reflects continued economic development, requested more than \$9 million in federal funding for five major capital projects and increased trash collection fees by \$10 per quarter and water and sewer rates by 2.5% to address rising operational and regulatory costs.

ORDINANCE

- Budget Amendment for City Parking Garage Repair

Ms. Mann reviewed a proposed budget amendment to fund necessary repairs to the City parking garage. The amendment reallocated remaining proceeds from the 2019 bond issue to establish a construction account for concrete repairs as a joint project between the Department of Infrastructure and Development and Field Operations. Council reached consensus to move the ordinance forward.

- Large Family Child Care Homes

Mr. Voitiuc proposed updating the city code to align with state law increasing family child care homes from 8 to 12 children and allowing local zoning oversight through a special exception process. Council generally supported aligning with state requirements and expanding childcare capacity due to local demand but raised concerns that the special exception could create unnecessary barriers and may soon be preempted by the state. Consensus was reached to move the item to first reading with revisions, including removing the special exception requirement and aligning the definition with state law.

COUNCIL DISCUSSION

- Council Vacancy Appointment Process

Council discussed the council vacancy appointment process, including whether the mayor could break a tie vote, with members expressing concern that the charter likely does not permit it and agreeing to seek clarification. They also considered making the process more transparent through an open public candidate work session with standardized questions and public input. A general framework was discussed distinguishing vacancies under 12 months versus over 12 months with a special election with a 60–120 day timeline, along with whether to appoint temporarily or leave seats vacant until an election. Consensus was reached to move forward with drafting legislation, with additional legal and procedural details to be refined.

PUBLIC COMMENT

The following public comments were heard:

- Speaker #1 asked the Council to preserve the collective bargaining rights of City employees, emphasizing the benefits of labor-management collaboration, employee input, and cost-saving efficiencies.
- Speaker #2 encouraged the Council to adopt the ordinance as a permitted use rather than a special exception, citing recent state legislation, her program's qualifications, and the need to expand access to high-quality child care.
- Speaker #3 expressed support for preserving collective bargaining rights for City employees, arguing that eliminating them would harm employee morale, recruitment, retention, and public safety.
- Speaker #4 urged the Council to reject the proposal to eliminate collective bargaining rights for City employees.
- Speaker #5 suggested the Council to reconsider eliminating collective bargaining, questioned the City's financial projections, and advocated for arbitration as an alternative to resolving labor and budget concerns.

- Speaker #6 spoke in opposition to the proposed changes affecting collective bargaining rights.
- Speaker #7 urged the Council to preserve collective bargaining rights for first responders, emphasizing safety, fairness, and respect for essential workers.
- Speaker #8 expressed support for collective bargaining, stating it is essential to ensuring fair compensation and benefits.
- Speaker #9 recommended the Council to pause action, seek independent financial review, and consider the impact on public services and the local tax base.
- Speaker #10 spoke in support of collective bargaining, emphasizing fair treatment, consistent workplace rules, and preserving non-financial contract protections for employees.
- Speaker #11 spoke in support of maintaining collective bargaining rights and urged the Council to explore alternative funding strategies and further review fiscal options before making changes.
- Speaker #12 spoke against dissolving collective bargaining rights, arguing it undermines worker protections, morale, and fairness, and warned of negative impacts on recruitment and retention.
- Speaker #13 proposed annexation and county cost-sharing as a solution to budget concerns tied to the fire agreement and union funding.
- Speaker #14 encouraged the Council to preserve collective bargaining rights.
- Speaker #15 criticized administrative spending and development policies, called for increased accountability measures and economic growth strategies, and opposed eliminating collective bargaining rights for employees.
- Speaker #16 questioned the rationale for eliminating unions if the current budget already funds employee raises, and asked Council to clarify the non-monetary reasons behind the proposal.
- Speaker #17 warned that eliminating collective bargaining could lead to worker resignations, loss of institutional knowledge, and long-term negative impacts on city services and staffing.
- Speaker #18 commented on legal and fiscal issues related to collective bargaining and fire services funding.

ADMINISTRATION COMMENTS

Mr. Rice provided a brief budget update noting the Mayor's proposed one-step increase for employees and also announced upcoming city events.

Mayor Taylor discussed the City's financial condition, citing audit data, payroll growth trends, use of one-time savings to fund obligations, and concerns about long-term fiscal sustainability and employee compensation.

COUNCIL COMMENTS

Ms. Dashiell addressed Council dynamics and public criticism, referenced recent community events and volunteer efforts, and provided updates on police training, Eastern Shore legislative matters, and local civic engagement activities.

Ms. Gregory expressed strong opposition to the proposed changes to collective bargaining, citing concerns about employee compensation, public safety impacts, and broken commitments to EMS and other city workers.

Ms. Holland announced SBY Green Team meeting at Boundless Garden and a town hall hosted by Delegate Sheree Sample-Hughes at the Chipman Cultural Center on legislative updates and sickle cell awareness.

Ms. Jackson discussed concerns about the fire service agreement and cost-sharing, urged residents to raise the issue with county leadership, and expressed frustration over perceived funding shortfalls impacting city services and union negotiations.

ADJOURNMENT

The Work Session adjourned at 8:25 p.m.

City Clerk

Council President



**LEGISLATIVE SESSION
MEETING MINUTES
MAY 11, 2026**

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Legislative Session on May 11, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS/PLEDGE

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. She then asked everyone to stand for the Pledge of Allegiance.

INVOCATION - Pastor Greg Morris - Parkway Church of God

Pastor Greg Morris from Parkway Church of God was called forward to provide the Invocation.

PROCLAMATION

- Mayoral Proclamation - EMS Week

Mayor Taylor presented an EMS week proclamation to the Salisbury Fire Department. Chief Frampton thanked the Mayor and Council for recognizing EMS Week, highlighted the department's response to more than 13,000 EMS calls in 2025 and a cardiac arrest survival rate three times the national average.

- Mayoral Proclamation - Fibromyalgia Awareness Month

Mayor Taylor presented a Fibromyalgia Awareness Month proclamation. A community member thanked the Mayor and Council for the fibromyalgia proclamation, shared her personal experience living with the condition and daily challenges associated with invisible pain, and offered encouragement and support to others affected by fibromyalgia.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. English presented the legislative agenda.

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Angela

M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

ANNEXATION RESOLUTION

Ms. Bosche presented the following annexation resolution.

- North Schumaker Dr. Annexation - 1st Reading

Resolution No. 3472 - to annex certain land to be known as the "North Schumaker Drive Annexation", as described in the Property Description and Annexation Plat attached and incorporated as exhibits herein, consisting of 12.870 acres more or less, into the City of Salisbury and to provide for the terms and conditions of the annexation.

Clarification was made by the Infrastructure and Development team that this resolution was changing the density but remained as 60 townhomes. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 4-1. Sharon C. Dashiell voted against.

PUBLIC HEARING

Ms. Bosche presented the following ordinance for public hearing and second reading.

- Removal of Timing Restrictions on Political Signs-2nd reading

President Jackson directed anyone wishing to comment during the public hearing to stand and be sworn in by the City Clerk. One member of the public was sworn in.

Ordinance No. 2991 – amending Chapter 17 of the Salisbury City Code. entitled "17.216.050 - Signs Which May Be Erected in Any District" to remove the time restrictions on the display of political signs.

President Jackson opened the public hearing at 6:14 p.m. One member expressed concern that the proposed definition of public signs did not address the removal of campaign signs after elections. Ms. Jackson closed the public hearing at 6:17 p.m.

Ms. Dashiell clarified that property owners may remove signs from their property but those candidates were generally expected to remove their own signs. It was noted that any regulations must comply with applicable constitutional law. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

ORDINANCES

- Surplus Budget Amendment - 2nd Reading

Ordinance No. 2992 - approving a budget amendment of the FY2026 General Fund Budget to appropriate \$15,881.00 to Field Operations operating budget after the city received \$15,881.00 in proceeds generated from the auction sale of surplus vehicles and equipment. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 5-0.

- Weather Emergency Funding for the zoo - 2nd reading

Ordinance No. 2993 - approving a budget amendment to appropriate \$22,723.60 to the Salisbury Zoo's operating budget to cover unexpected costs and expenses caused by the February 2026 winter storm. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Post Puller Budget Amendment - 2nd Reading

Ordinance No. 2994 - approving a budget amendment of the FY2026 General Fund Budget to appropriate \$7,198.00 to the Field Operation's operating budget following receipt of insurance proceeds for a damaged traffic unit post puller. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- Electrical Permit Fee Ordinance - 2nd Reading

Ordinance No. 2995 - amending the City of Salisbury Fiscal Year 26 Fee Schedule to add electrical permit fees. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- Large Family Child Care Homes - 1st Reading

Ordinance No. 2996 - amending Title 17 of the Salisbury City Code to add a definition of a "large family childcare home" and to designate the zoning districts in which the various types of childcare homes can be established. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Budget Amendment for City Parking Garage Repair - 1st Reading

Ordinance No. 2997 - approving a budget amendment of the City's capital project fund to provide funding for the City parking garage structure repair. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Budget Amendment for FD Overtime Funds - 1st Reading

Ordinance No. 2998 - approving a budget amendment of the FY26 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Account. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- FY2027 Budget Ordinance - 1st Reading

Ordinance No. 2999 - appropriating the necessary funds for the operation of the government and administration for the period July 1, 2026 to June 30, 2027, establishing the levy for the general fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds.

Council discussed the status of collective bargaining negotiations and the proposed budget, agreed that additional compensation changes would need to be presented before final budget adoption, and reached consensus to schedule a closed session following the conclusion of negotiations to review the final terms before second reading. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 3-2. Michele R. Gregory and Angela M. Blake voted against.

- FY2027 Water Sewer Rate Ordinance - 1st Reading

Ordinance No. 3000 - to amend Water and Sewer rates to increase rates by 2.5% and making said changes effective for all bills dated October 1, 2026 and thereafter, unless and until subsequently revised or changed. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 4-1. Angela M. Blake voted against.

- FY2027 Fee Ordinance - 1st Reading

Ordinance No. 3001 - to set fees for FY2027 and thereafter unless and until subsequently revised or changed.

Ms. Bosche summarized amendments to the proposed fee schedule transferring administration of several fees, including door-to-door solicitor permits and most miscellaneous fees, from the City Clerk's Office to the Department of Housing and Community Development. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

- MWIFA Loan for Naylor Mill Project

Ordinance No. 3002 - to authorize and empower City of Salisbury (the "city") to issue and sell from time to time, upon its full faith and credit, one or more series of General Obligation Bonds in an original aggregate principal amount not to exceed \$4,874,910 for the public purpose of financing or reimbursing costs of a project that the city generally refers to as the "Naylor Mill Water Main Extension Project", together with related costs as provided herein; determining that any such series of bonds be sold to the Maryland Water Infrastructure Financing Administration (the "administration") by private sale, without public bidding; authorizing the approval by resolution of the final or substantially final form of any loan agreement with the administration and, with respect to any such loan agreement, acknowledging the administration's rights thereunder; making a pledge of certain revenues receivable from the State of Maryland, and acknowledging certain payment responsibilities of the city; providing that the council by resolution shall determine or provide for certain details of any such series of general obligation bonds; pledging the City's full faith and credit and unlimited taxing power to payment of any such issued bonds and providing for the imposition of ad valorem taxes upon all real and personal property within the city subject to assessment for unlimited municipal taxation to pay any such issued bonds; providing that by resolution the council may provide for or identify other sources of revenue to be pledged to payment of any issued bonds or from which any issued bonds will be payable in the first instance.; authorizing officials and employees of the City to take certain actions in connection with any issued bonds, including as may be delegated by the council by resolution; designating in order of priority the City officials authorized to attest to the city seal; providing that this title shall be deemed a statement of the substance of this ordinance for all purposes; providing that the provisions of the ordinance shall be liberally construed; and otherwise generally relating to the sale, issuance, delivery and payment of and for any issued series of bonds. Angela M. Blake motioned and Sharon C. Dashiell seconded. The vote was 5-0.

ADJOURNMENT/CONVENE INTO WORK SESSION

The Legislative Session adjourned at 6:39 p.m.

City Clerk

Council President

Council President Jackson, Mayor Taylor, members of the council,

I'm here today because the workers who serve this city deserve respect — not ridicule, not blame, and not public shaming. Over the past few weeks, comments made on social media by both the Mayor and the Council President have crossed a line, and I need to address them directly.

When Council President Jackson publicly suggested that the City of Salisbury should “find ways to raise money to pay union workers,” it sent a very clear message. It implied that my work — and the work of my coworkers — is something the city must *justify paying for*, rather than an investment in the safety, cleanliness, and functioning of Salisbury. That is not leadership. That is disrespect.

Then, when she criticized union members for not attending a county meeting, she questioned our commitment without acknowledging the reality: many of us were working our second or third jobs, and many simply could not attend because we were doing the jobs this city depends on. To be publicly scolded for not being in a room we were never required to be in is unfair and insulting.

And when Mayor Taylor referred to Salisbury as “Silly Ville,” it didn't just diminish the city — it diminished the pride I take in serving it. I show up in the heat, in the rain, in emergencies, in crises, and in the moments when this community needs me most. I take my job seriously. I take this city seriously. And I expect the same from its leaders.

I want to be very clear: I am not here to attack anyone personally. I am not here to divide this city. I am here to ask for accountability, professionalism, and basic respect.

Words matter. Tone matters. And when those words come from the highest offices in the city, they carry weight. They shape how the public views its workers. They shape morale. They shape trust.

Right now, that trust has been damaged.

So I am asking — firmly and respectfully — for a public apology. Not because I am thin-skinned. Not because I cannot handle criticism. But because leadership requires humility. Because respect is a two-way street. And because no workforce should be publicly belittled by the very people who rely on them.

I also need to say this: if this pattern of public disrespect toward city employees continues, I will have no choice but to raise it as a **Human Resources issue**. In any workplace — public or private — repeated public comments that demean employees would be documented, addressed, and corrected. City Hall should be no exception. The standards that apply to us should apply to leadership as well.

I want to move forward. I want to work together. I want a city government that values its workforce, not one that undermines it. But moving forward requires acknowledgment. It requires accountability. It requires a commitment to treating the people who serve this city with dignity.

Council President Jackson, Mayor Taylor — the path to rebuilding trust begins with recognizing the impact of your words and offering a sincere apology. I stand here today with pride in my work, pride in my coworkers, and pride in this city. All I ask is that you show the same respect in return.

Thank you.

James Gardiner

Analysis of Potential Weaknesses in the Salisbury FY2026 Action Plan

The Salisbury FY2026 Action Plan outlines broad goals related to affordable housing, neighborhood revitalization, economic development, and equity. However, several areas may present weaknesses from a governance, implementation, and accountability perspective.

1. Broad Goals Without Measurable Objectives

The plan emphasizes priorities such as affordable housing and community development but appears to lack clear numeric targets, timelines, benchmarks, and measurable deliverables. Without measurable objectives, evaluating success becomes difficult.

2. Lack of Clear Accountability Structure

The plan does not always clearly identify responsible departments, implementation leads, milestone schedules, or reporting expectations. This can weaken transparency and public oversight.

3. Limited Financial Specificity

Although the projected federal CDBG allocation is approximately \$338,000, the plan provides limited detail regarding project prioritization, leveraging of outside funding, or long-term sustainability strategies.

4. Weak Connection Between Data and Action

Community challenges are discussed broadly, but there are fewer direct action steps tied to measurable outcomes such as vacancy reduction, affordable housing targets, or workforce housing initiatives.

5. Community Engagement Concerns

While public participation requirements appear to be met, the plan may benefit from stronger ongoing engagement tools such as quarterly updates, dashboards, public scorecards, or routine progress reporting.

6. Risk of Becoming a Compliance Document

Like many municipal HUD-related plans, there is a risk that the document functions more as a grant compliance requirement than as a detailed strategic implementation roadmap.

Areas That Could Strengthen the Plan

Area	Potential Improvement
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Housing	Specific unit goals, vacancy targets, affordability benchmarks
Accountability	Named departments and quarterly reporting requirements
Timeline	6-month, 12-month, and multi-year benchmarks
Transparency	Public dashboard or progress scorecard
Economic Development	Job creation metrics and investment targets
Equity	Geographic priorities and measurable outcomes
Partnerships	Defined collaboration with nonprofits, state, and private sector

Overall, the Salisbury FY2026 Action Plan appears directionally aligned with the City's housing and community development challenges. However, the most significant concern is the gap between broad goals and measurable implementation strategies. Stronger objectives, accountability measures, and reporting mechanisms would improve transparency and help residents and policymakers better evaluate progress.

AMEND Resolution No. 3472 (Annexation Agreement) to reflect ZONING R-10S!

From Carolyn Wohlgemuth <carolynwo@gmail.com>

Date Fri 5/8/2026 12:16 PM

To All City Council Members <allcitycouncilmembers@salisbury.md>

Cc Randy Taylor <rtaylor@salisbury.md>; Julie English <jenglish@salisbury.md>; Carolyn Wohlgemuth <carolynwo@gmail.com>; John Wohlgemuth <smartgator@gmail.com>

 1 attachment (3 MB)

Resolution #67-2026 Petition to Vote No.pdf;

WARNING: This message was sent from an external source. Please verify the source before clicking any links or opening any attachments. NEVER provide account credentials or sensitive data unless the source has been 100% verified as legitimate.

***Please include these comments and attached petition as part of the public comments and minutes for **Resolution No. 3472 - North Schumaker Dr. Annexation - 1st Reading!**

City Council:

We request that the city council **AMEND Resolution No. 3472 to reflect ZONING R-10S!**

The City should not specify a zoning designation that would allow overdevelopment of this property at the expense of current adjacent city residents and to the detriment of the city's own valuable resource of Schumaker Pond! The proposed zoning is inconsistent with all neighboring single-family properties in Granbys Cove as well as all single-family properties on the south side of N. Schumaker Dr. that border Schumaker Pond, which stretches from Beaglin Park Dr. east to the city/county line.

City Council should heed the neighbors' objections to the zoning designation of this annexation as expressed earlier this week at the Wicomico County Council Public Hearing on May 5! Signatures from more than 50 neighbors of Granbys Cove objecting to the zoning waiver (see attached petition) were submitted as Public Hearing testimony in addition to in-person Public Comments.

As described in **Chapter 17.164:**

"The purpose of R-10S ... is to preserve the existing character of both newly planned and existing single-family residential areas in order to promote and to enhance the quality of life and environmental attributes which are essential parts of the city."

Zoning R-10S is consistent with the adjacent neighborhoods of existing low-density residential single-family homes that are on the north bank of Schumaker Pond. Any

higher-density zoning will increase impervious surface, stormwater volume, and pollutant loading, raising the risk of algae blooms and downstream flooding throughout the adjoining neighborhoods, the Salisbury Zoo, the Salisbury Park, the Salisbury Riverwalk, and city properties along the Wicomico River!

The **City's own planning staff recommended Zoning R-10S** in the August 2025 Salisbury Infrastructure and Development Staff Report,

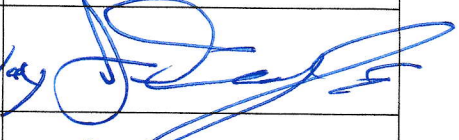
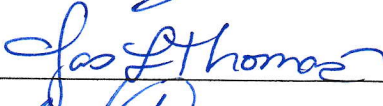
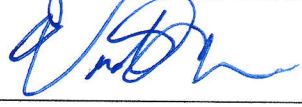
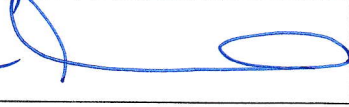
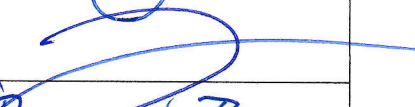
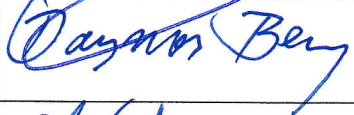
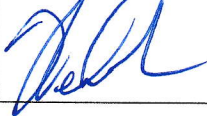
"staff found that R10-S zoning would be the appropriate designation for this development. This zoning maintains the integrity of the nearby single-family zoning. Staff recommends the parcel...be zoned R10-S upon annexation".

We request that the city council **AMEND Resolution No. 3472 to reflect ZONING R-10S!**

Regards,
John & Carolyn Wohlgemuth
1118 Granbys Run
Salisbury, MD

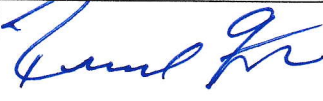
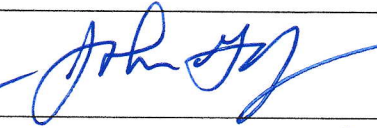
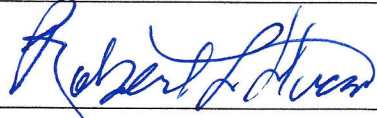
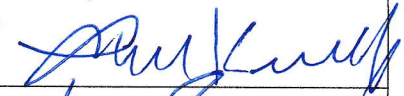
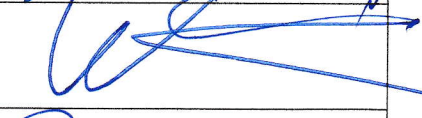
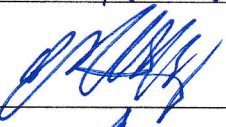
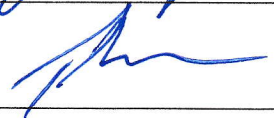
WE, the undersigned residents of Granbys Cove, are AGAINST the zoning waiver for the N Schumaker Drive Annexation!

Vote NO on Resolution #67-2026!!

NAME	ADDRESS	SIGNATURE
Eric Miller	818 Long Wharf Rd	
Mauna Evans	816 Long Wharf Rd	
Joseph P. Derbyshire	1118 New Bedford Way	
Jasmine Thomas	1125 New Bedford Way	
Victor Thomas	1125 New Bedford Way	
Stephen Broadwater	1113 New Bedford Way	
Angie Toft	1119 Granbys Run	
Ron Hoffman	1119 Granbys Run	
Todd Metegry	815 Long Wharf Rd	
Mike Synowiec	1119 New Bedford Way	
JAGMAR BERRY	817 LONG WHARF	
Steve/Debbie Wehlan	1110 Granbys Run	

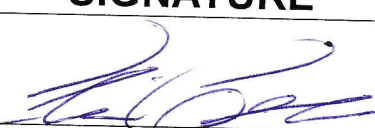
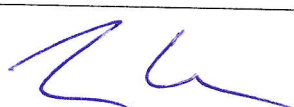
WE, the undersigned residents of Granbys Cove, are AGAINST the zoning waiver for the N Schumaker Drive Annexation!

Vote NO on Resolution #67-2026!!

NAME	ADDRESS	SIGNATURE
Laurie Gaston	1106 Granbys Run Salisbury MD	
Renee Gaston	1106 Granbys Run Salisbury M.D.	
Jesus Leon Flores	1109 Granbys Run, Salisbury, MD	Jesus Leon Flores
WENDY STEWART	1016 SCHUMAKER WOODS RD SALISBURY MD	
John Galgano	1012 Schumaker Woods Rd, Salisbury MD 21804	
Winona Hocutt	1006 Schumaker Woods Sty 21804	Winona Hocutt
Bob Hocutt	"	
Laura Knapp	818 Longwharf Rd Sty 21804	
Wayne Knapp	818 Longwharf Sty 21804	
Pat Holloway	1101 Granbys Run	Pat Holloway
Mark Holloway	"	
MEMORANDUM	1018 SCHUMAKER WOODS ROAD 21804	

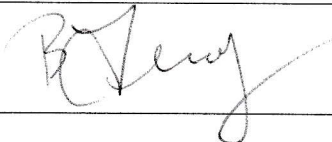
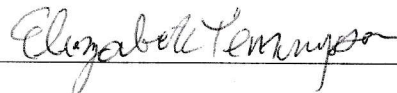
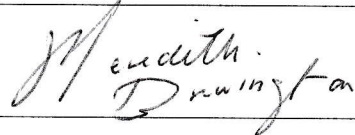
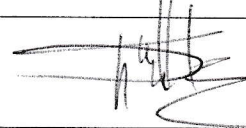
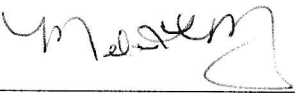
WE, the undersigned neighboring Granbys Cove residents, are AGAINST the zoning waiver for the N Schumaker Drive Annexation!

Vote NO on Resolution #67-2026!!

NAME	ADDRESS	SIGNATURE
CHRIS GERO	800 BRISTOL PT SALISBURY MD	
Pam Gero	800 Bristol Pt. Salisbury MD	P. Gero
CAROLYN WOHLGEMUTH	1118 GRANBYS RUN SALISBURY, MD	Carolyn Wohlgemuth
JOHN WOHLGEMUTH	1118 GRANBYS RUN SALISBURY MD	John Wohlgemuth
Maarten Krebber	805 Shelburne Way S'ing	Maarten Krebber
Ruth Baker	"	Ruth Baker
Thomas Crum	804 Long Wharf Rd Salisbury, MD	
Jessica Sweet-Crum	804 Long Wharf Rd Salisbury MD	Jessica Sweet-Crum
James Plano	114 Granbys Run Salisbury, MD	
Michael Plano	1114 Granbys Run Salisbury, MD	Michael Plano
ROBERT PLITKO CAROL PLITKO	1117 GRANBYE RUN	Robert Plitko Carol Plitko
DWIGHT TENNYSON	1116 GRANBYS RUN SALISBURY, MD.	Dwight Tennyson

WE, the undersigned neighboring city residents, are AGAINST the zoning waiver for the N Schumaker Drive Annexation!

Vote NO on Resolution #67-2026!!

NAME	ADDRESS	SIGNATURE
BRANDY TENNYSON	1116 GRABBS RUN SALISBURY, MD	
Elizabeth Tennyson	1116 GRABBS RUN SALISBURY, MD	
MADISON BREWINGTON	811 LONG WHARF RD SALISBURY MD	MADISON BREWINGTON
Meredith Brewington	811 Long Wharf RD, Salisbury MD	
William V. Gore	807 LONG WHARF RD SALISBURY, MD.	William V. Gore
SCOTT ROBERTS	1116 GRABBS RUN SALISBURY, MD	
Melanie Metzger	815 Long Wharf Rd Salisbury MD 21804	
Daniel Smigel	1121 New Bedford Way	Daniel Smigel

WE, the undersigned residents of Granbys Cove, are AGAINST the zoning waiver for the N Schumaker Drive Annexation!

Vote NO on Resolution #67-2026!!

NAME	ADDRESS	SIGNATURE
Barbara Arya	1105 Granby's Run	
Rakesh Arya	" " "	" "
Colleen Leon	1109 Granby's Run	Colleen Leon
MITCHELL SABATER	1114 NEW BEDFORD WAY	M. Sabater
Sandy Stewart	1016 Schumaker Woods Circle	AS
Ken Medearis	821 Long Wharf Rd	
Sarah Medearis	"	Sarah Medearis



WORK SESSION MEETING MINUTES MAY 11, 2026

PUBLIC OFFICIALS

Present: Council President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, Finance Director Sandy Green, Arts, Business and Culture Director Scott Roberts, Field Ops Assistant Director Jordan Mann, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Work Session on May 11, 2026 at 6:41 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

RESOLUTION

- **2026 CDBG Action Plan**

Ms. Green presented the FY 2026 Community Development Block Grant (CDBG) Annual Action Plan, which provided \$367,754 in funding, including allocations for program administration and street improvements and paving. She explained that the plan had been developed following two public hearings, during which no public comments were received, and that it had to be submitted to HUD for approval. Council members discussed the importance of incorporating more measurable objectives, timelines, accountability measures, and public reporting tools to improve transparency and community engagement. While concerns were raised that the plan contained broad goals without specific benchmarks or deliverables, Council acknowledged the value of the projects and the information included in the plan. Ms. Green explained that the current funding priorities had been selected to ensure the timely use of available funds due to ongoing CDBG projects, including Waterside Park, and clarified that CDBG funding was restricted to eligible areas, including Church Street, Doverdale, and other qualifying projects such as Lake Street Park. Four Council members reached consensus to move the resolution forward. Ms. Blake did not give consensus to move it forward.

CHARTER AMENDMENT RESOLUTION

- **Council Vacancy Appointment Process**

Council discussed proposed changes to the process for filling council vacancies and special elections. Council clarified that special elections would not include mail-in ballots and agreed that the language should be updated to reflect that requirement. Discussion also focused on creating a more detailed policy and procedure for the vacancy appointment process, including a two-week application period for candidates to submit a letter of interest, resume, and proof of residency, verification by the Board of Elections, a public work session for candidate

presentation and questions, and an open vote during a public meeting. Council agreed that applicants' materials would be made publicly available and that candidates would be asked identical questions developed through HR and legal review. The same process would apply to mayoral vacancies. Council also discussed scheduling a future work session with the City Board of Elections and the Wicomico County Board of Elections Director to discuss the logistics and procedures for conducting a special election.

ORDINANCE

- Live Arts in Public Spaces

Mr. Roberts introduced an ordinance establishing guidelines for live art performances in public spaces, also known as busking. He explained that the ordinance was intended to support performers' First Amendment rights while providing enforcement standards related to noise regulations and placement of performers in public areas. The goal was to encourage public art throughout downtown and the City Park. Council expressed support for the ordinance and highlighted the importance of maintaining ADA-accessible areas and ensuring public spaces remain accessible. Council reached consensus to move the ordinance forward.

- LGIT Grant Acceptance – Vehicle Monitoring Program

Ms. Mann asked council for acceptance of a \$10,000 grant awarded to the Department of Field Operations from the Local Government Insurance Trust to support the implementation and expansion of the City's vehicle monitoring program. Council reached consensus to move forward to accept the grant.

- Legal Fees

Mr. Rice presented a budget amendment requesting an additional \$175,000 from surplus to cover increased legal expenses. The amendment included \$55,000 for the City's labor attorney to cover remaining costs for May and June and \$120,000 for the City Attorney's office. He noted that process improvements were being reviewed to better evaluate when matters require legal involvement and to help control costs. It was also clarified that recent litigation related to property matters had not been a significant contributor to the increased legal expenses, with major costs instead associated with Maryland Public Information Act requests, Human Resources matters, and labor-related issues. Council reached consensus to move the amendment forward.

PUBLIC COMMENT

The following public comments were heard:

- Speaker #1 requested clarification on the potential removal of the Boundless Park gazebo, expressing concerns that removing park amenities was not the solution to safety issues.
- Speaker #2 expressed concerns regarding homelessness, loitering, litter, public safety, and the impact of public solicitation and busking in City spaces.
- Speaker #3 addressed concerns regarding homelessness, special election accessibility, and collective bargaining rights, requesting compassion, transparency, and clarification on the processes.
- Speaker #4 discussed electoral reform, voter turnout, city-county fire service agreements, and collective bargaining, encouraging alignment of elections, increased homeownership, further review of fire service costs, and reconsideration of eliminating collective bargaining rights.

- Speaker #5 urged Council to amend the North Schumaker Drive annexation resolution to reflect R10S zoning.
- Speaker #6 spoke in support of amending the North Schumaker Drive annexation resolution to R10S zoning, citing concerns about preserving neighborhood character
- Speaker #7 expressed concerns about potential vehicle access from the proposed North Schumaker Drive development into Granby's Cove and requested the zoning be amended to R10S.
- Speaker #8 addressed Council regarding concerns over public comments about union employees, requesting accountability, professionalism, and respect for city workers while expressing the need to rebuild trust between leadership and the workforce.
- Speaker #9 expressed concerns regarding safety, inclusion, and past incidents at Salisbury University, urging greater accountability and proactive measures to address threats of discrimination and potential harm on campus.
- Speaker #10 urged Council to preserve collective bargaining agreements, emphasizing the importance of good-faith negotiations, trust, and maintaining commitments between the City and its employees.
- Speaker #11 read a statement on behalf of a City paramedic expressing concerns about staffing, compensation, working conditions, and the impact of proposed collective bargaining changes.
- Speaker #12 urged Council to reconsider changes to collective bargaining, expressing concerns about employee retention, proposed benefit and compensation changes, financial assumptions, and the impact of recent departures on City services.
- Speaker #13 discussed Salisbury election reform and voter turnout trends, suggesting that low participation is a longstanding issue tied more to declining homeownership than election timing.
- Speaker #14 discussed housing options, ranked choice voting, city finances, and revenue opportunities, emphasizing the need for diverse housing pathways, civic engagement, and support for city employees.
- Speaker #15 addressed the North Schumaker Drive annexation, citing concerns about increased density, infrastructure capacity, community input, and potential impacts on homeownership.
- Speaker #16 discussed county funding for City fire and EMS services, emphasizing the need for greater reimbursement for services provided outside City limits.
- Speaker #17 discussed the CDBG action plan, encouraging greater collaboration with community partners, strategic redevelopment of vacant properties, and a comprehensive approach to addressing neighborhood issues rather than removing structures without addressing underlying concerns.

ADMINISTRATION COMMENTS

Mr. Rice highlighted the success of the Over the Edge fundraiser for United Way and thanked the City's events team for creating successful community events such as Dueling Pianos.

Mayor Taylor addressed concerns regarding collective bargaining, explaining the City's financial challenges, need to balance employee costs with other services, efforts to secure fair County reimbursement for fire services, and invited continued discussion.

COUNCIL COMMENTS

Ms. Blake clarified that concerns with the Salisbury Action Plan were not in opposition to the plan itself, but rather a desire for stronger objectives, measurable outcomes, increased engagement, and clearer strategies to achieve stated goals.

Ms. Dashiell thanked residents for their public input, recognized efforts to address litter and secure fair fire service funding, and shared updates on the Child Advocacy Center, airport improvements and the work of the local legislative delegation.

Ms. Gregory encouraged the City to pursue Maryland Municipal League Banner City recognition, promoted participation in the MML Summer Conference, and advocated for continued discussion of election turnout, civic engagement, and recommendations from the Greater Salisbury Committee/PACE voter participation study.

Ms. Holland wished mothers a Happy Mother's Day, encouraged community participation with Green Team Salisbury's gardening and pollinator projects, announced the upcoming Truth Committee meeting at the VFW, and praised the Salisbury Police Department's Citizens Police Academy as a valuable community engagement program.

Ms. Jackson clarified prior social media comments regarding support for the City's fire service funding request, promoted an upcoming Salisbury Neighborhood Housing homeownership seminar, advocated for preserving the Boundless Playground gazebo through improved lighting and police patrols rather than removal and thanked residents for their public input.

ADJOURNMENT

The Work Session was adjourned at 8:37 p.m.

City Clerk

Council President



LEGISLATIVE SESSION MEETING MINUTES MAY 26, 2026

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President, Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, Greater Salisbury Committee Chair Dr. Katherine Jones, Women's Commission Representative Megan Outten, Procurement Director Michael Lowe, Financial Administrator Olga Butar, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Legislative Session on May 26, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS/PLEDGE

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. She then asked everyone to stand for the Pledge of Allegiance.

INVOCATION - Moment of Silence

Ms. Jackson asked everyone to pause for a moment of silence.

PRESENTATIONS

Dr. Jones and Ms. Outten provided background on their organizations' work and partnerships with the City. They discussed community needs identified through surveys and listening sessions, highlighting childcare and transportation as key barriers for women and families. Dr. Jones presented findings from a childcare initiative task force's white paper, which identified a shortage of affordable childcare spaces in Wicomico County, challenges facing childcare providers, and the financial impact of childcare costs on families. They outlined recommendations to address these challenges, including improving availability, accessibility, affordability, and accountability, as well as supporting providers through incentives, resources, accreditation assistance, and supportive policies. They also discussed the impact of expanded public pre-K programs on childcare availability and encouraged continued collaboration among local leaders, employers, and community partners to explore solutions such as childcare provider tax credits and increased outreach for available resources.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. English presented the legislative agenda

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0

AWARD OF BIDS

Mr. Lowe presented the following:

- Award of Bid

ITB 26-109

President Jackson called for a motion and a second to approve the award of bids. Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 5-0.

DECLARATION OF SURPLUS

Mr. Lowe presented the following:

- Surplus Declaration

2011 Mazda CX7

President Jackson called for a motion and a second to approve the declaration of surplus. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

RESOLUTION

presented by Ms. English

- 2026 CDBG Action Plan

Resolution No. 3473 - to approve the City's action plan for Community Development Block Grant (CDBG) funds for CDBG FY2026 program year.

Ms. Blake thanked finance for answering her questions. Ms. Dashiell asked how street performers would be monitored. Ms. Butar explained that CDBG-funded projects are monitored by the Finance Department in coordination with other City departments. For busking specifically, oversight would follow the existing rules governing performances in City parks, including a sign-out or permitting process.

Michele R. Gregory motioned and Melissa D. Holland seconded. The vote was 5-0.

PUBLIC HEARING (3 minutes)

President Jackson directed anyone wishing to comment during any of the public hearings to stand and be sworn in by the City Clerk. Sixteen members of the public were sworn in.

- Resolution to Amend SC7-25

Charter Amendment Resolution No. 2026-2 - to amend SC7-25 of the Charter of the City of Salisbury to change the signatures and authorizations requirements for disbursements.

President Jackson opened the public hearing at 6:24 p.m. Having no comments, the hearing was closed at 6:29 p.m.

Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Resolution to Repeal SC23

Charter Amendment Resolution No. 2026-3 - to amend Article XXIII of the Charter authorizing collective bargaining by repealing Article XXIII in its entirety and abrogating all collective bargaining.

President Jackson opened the public hearing at 6:30 p.m.

The following comments were heard.

- Speaker #1 urged the Council to reject the resolution, arguing it would undermine collective bargaining rights, silence City employees, and fail to address the City's budget challenges.
- Speaker #2 opposed the resolution, stating that collective bargaining rights were unrelated to future budget challenges and that the union remained committed to negotiating in good faith with the City.
- Speaker #3 opposed the proposal, arguing that collective bargaining was a fundamental worker right, not a budget issue.
- Speaker #4 spoke against rescinding collective bargaining, saying it contradicted the City's public praise of its employees and asked the Council to remain loyal to and support City workers.
- Speaker #5 spoke on behalf of the family of late Salisbury firefighter Brian Lewis and asked the Council to preserve collective bargaining, arguing that it protected worker safety and honored the sacrifices of firefighters, police officers, and other City employees.
- Speaker #6 said collective bargaining promoted collaboration between employees and management, strengthened public services, and helped retain experienced workers, and asked the Council to preserve it.
- Speaker #7 spoke in support of collective bargaining, stating that unions helped maintain workplace standards, retain qualified employees, and provide an additional process for accountability.
- Speaker #8 highlighted the role unions play in workplace safety, employee advocacy, and collaboration between workers and employers and spoke in favor of collective bargaining.
- Speaker #9 spoke in opposition to collective bargaining, citing concerns about City spending, taxes, government growth, and the financial impact of employee compensation.
- Speaker #10 spoke in support of collective bargaining, emphasizing its role in communication, workplace safety, employee retention, and strong labor relationships.
- Speaker #11 spoke against removing collective bargaining rights, stating that bargaining provided firefighters and public employees a voice in workplace decisions, promoted stability, and supported collaboration in addressing financial challenges.
- Speaker #12 questioned the urgency of removing collective bargaining, expressing concerns about City spending priorities and bankruptcy discussions, and encouraged greater communication and collaboration between the City, County, and community.
- Speaker #13 expressed concerns that the decision to remove collective bargaining appeared predetermined, arguing that doing so could lead to employee turnover, recruitment challenges, and increased costs, and questioned whether residents' voices were being heard.
- Speaker #14 spoke against removing collective bargaining, citing concerns about employee morale, turnover, and public safety impacts, while also discussing broader City financial issues and future labor considerations.
- Speaker #15 criticized the proposed removal of collective bargaining, expressing concerns about City leadership and worker rights, and encouraged residents to participate in a petition effort to place the issue on the ballot.

The hearing was closed at 7:14 p.m.

Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 3-2.

- FY2027 Budget Ordinance

Ordinance No. 2999 - appropriating the necessary funds for the operation of the government.

President Jackson opened the public hearing at 7:16 p.m.

Mr. Rice reviewed agreed-upon budget additions, including funding for fire department AEDs, completion of a radio purchase, increased police and fire salaries and fringe benefits, and the removal of the previously proposed trash truck purchase. No other budget changes were made.

Having no comments, the hearing was closed at 7:18 p.m.

- FY2027 Water Sewer Rate Ordinance

Ordinance No. 3000 - to amend Water and Sewer rates to increase rates by 2.5% and making said changes effective for all bills dated October 1, 2026 and thereafter, unless and until subsequently revised or changed.

Ms. Dashiell noted that the budget packet slides 98–101 provide a detailed breakdown of the 2.5% increase for those seeking additional information.

President Jackson opened the public hearing at 7:19 p.m. Having no comments, the hearing was closed at 7:19 p.m.

- FY2027 Fee Ordinance

Ordinance No. 3001 - to set fees for FY2027 and thereafter unless and until subsequently revised or changed.

President Jackson opened the public hearing at 7:20 p.m. Having no comments, the hearing was closed at 7:20 p.m.

ORDINANCES

Presented by Ms. Bosche

- Budget Amendment for City Parking Garage Repair - 2nd Reading

Ordinance No. 2997 - approving a budget amendment of the City's capital project fund to provide funding for the City parking garage structure repair. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Budget Amendment for FD Overtime Funds - 2nd Reading

Ordinance No. 2998 - approving a budget amendment of the FY26 General Fund Budget to appropriate funds to the Salisbury Fire Department's operating account. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

- MWIFA Loan for Naylor Mill Project - 2nd Reading

Ordinance No. 3002 - to authorize and empower City of Salisbury (the "city") to issue and sell from time to time, upon its full faith and credit, one or more series of General Obligation Bonds in an original aggregate principal amount not to exceed \$4,874,910 for the public purpose of financing or reimbursing costs of a project that the city generally refers to as the "Naylor Mill Water Main Extension Project," together with related costs as provided herein; determining that any such series of bonds be sold to the Maryland Water Infrastructure Financing Administration (the "administration") by private sale, without public bidding; authorizing the approval by resolution of the final or substantially final form of any loan agreement with the administration and, with respect to any such loan agreement, acknowledging the administration's rights thereunder; making a pledge of certain revenues receivable from the State of Maryland, and acknowledging certain payment responsibilities of the city; providing that the council by resolution shall determine or provide for certain details of any such series of general obligation bonds; pledging the City's full faith and credit and unlimited taxing power to payment of any such issued bonds and providing for the imposition of ad valorem taxes upon all real and personal property within the city subject to assessment for unlimited municipal taxation to pay any such issued bonds; providing that by resolution the council may provide for or identify other sources of revenue to be pledged to payment of any issued bonds or from which any issued bonds will be payable in the first instance; authorizing the council by resolution to provide for post-closing modifications affecting any issued series of bonds; authorizing officials and employees of the City to take certain actions in connection with any issued binds, including as may be delegated by the council by resolution; designating in order of priority the City officials authorized to attest to the city deal; providing that the provisions of this ordinance shall be liberally construed; and otherwise generally relating to the sale, issuance, delivery and payment of and for any issued series of bonds. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- SAFE Monarch Grant - 1st Reading

Ordinance No. 3003 - authorizing the Mayor to enter into a contract with SAFE Monarch for the purpose of accepting grant funds in the amount of \$4,945 and to approve a budget amendment to the grant fund to appropriate these funds for expenses associated with supporting monarch and other native pollinator populations. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Live Arts in Public Spaces - 1st Reading

Ordinance No. 3004 - amending Title 5 of the Salisbury City Code, creating a new chapter entitled "5.45 - Live Arts in Public Spaces" Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- LGIT Grant Acceptance – Vehicle Monitoring Program - 1st Reading

Ordinance No. 3005 - to accept funds awarded by the Local Government Insurance Trust (LGIT) for the City of Salisbury Department of Field Operations' implementation and expansion of vehicle monitoring. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Legal Fees - 1st Reading

Ordinance No. 3006 - approving a budget amendment of the FY2026 General Fund Budget to appropriate additional funds required for legal services.

Ms. Blake asked whether invoices had been received to support the requested funding and stated they preferred to review all legal invoices before voting on the request. Mr. Rice explained that the funding was an estimate to cover legal expenses through the end of the fiscal year, that invoices were received monthly, and that the City was legally required to retain and pay legal counsel. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 4-1. Angela M. Blake voted against.

PUBLIC COMMENT (4 minutes)

The following public comments were heard:

- Speaker #1 expressed concern about childcare costs and urged the Council to keep Bowers Island zoned residential rather than commercial, citing the City's greater need for housing.
- Speaker #2 thanked the Mayor and Council for their public service, encouraged continued commitment to the City's long-term success, and noted that the views expressed by those in attendance may not represent all City residents.
- Speaker #3 expressed opposition to the proposed rezoning of 1522 South Salisbury Boulevard from residential to commercial, citing concerns about impacts on the surrounding neighborhood and urging the Council to retain the current residential zoning.
- Speaker #4 thanked the Mayor and three Council members for their budget decision, stating it reflected fiscal responsibility and support for taxpayers while emphasizing the importance of responsible spending.
- Speaker #5 raised concerns about legal service billing rates, suggesting the City review the matter.
- Speaker #6 discussed the history of Bowers Island and urged the City to continue advocating for increased County funding for fire and EMS services. He also encouraged public participation in upcoming County Council meetings and suggested the City evaluate its response if additional funding was not provided.

ADMINISTRATION COMMENTS

Mr. Rice highlighted the downtown mural project and invited the community to participate in a public painting event.

Mayor Taylor acknowledged the difficulty of the budget decision and expressed appreciation for the Council's willingness to make difficult choices.

COUNCIL COMMENTS

Ms. Holland explained that her vote on collective bargaining was based on fiscal responsibility and the City's long-term financial stability. She also highlighted attending the Junior Achievement 18 Under 18 awards, speaking with youth at the Newton Community Center, and participating in the Queen City Elks Parade.

Ms. Gregory expressed disappointment with the Council's decision regarding collective bargaining. She also criticized the tone of the discussion and interactions with the public.

Ms. Blake thanked residents for their comments, recognized the Ghost Ride event promoting bike safety, and requested a future discussion on aligning City regulations for home daycare providers with State requirements. She encouraged residents to donate blood, plasma, and register as organ donors.

Ms. Dashiell provided updates from the citizens police academy. She also highlighted the Town-Gown luncheon, National Police Memorial recognition event, downtown mural project, and a simulation event at Salisbury University.

Ms. Jackson discussed the difficulty of the collective bargaining decision, stating it was made based on the City's financial stability and a desire to avoid bankruptcy. She also emphasized the importance of respectful disagreement among Council members.

ADJOURNMENT

The Legislative Session was adjourned at 8:03 p.m.

City Clerk

Council President



**LEGISLATIVE SESSION
MEETING MINUTES
JUNE 8, 2026**

PUBLIC OFFICIALS

Present: President April R. Jackson, Council Vice President Sharon C. Dashiell, Councilwoman Angela M. Blake, Councilwoman Michele R. Gregory and Councilwoman Melissa D. Holland

IN ATTENDANCE

Mayor Randy Taylor, City Administrator Nick Rice, City Clerk Julie English, City Solicitor Ashley Bosche

CALL TO ORDER

The City Council convened in Legislative Session on June 8, 2026 at 6:00 p.m. in the Government Office Building Council Chambers, Room 301, located at 125 N. Division Street.

WELCOME/ANNOUNCEMENTS/PLEDGE

President Jackson welcomed everyone to the meeting and provided the emergency exit instructions. She then asked everyone to stand for the Pledge of Allegiance.

INVOCATION - Bishop A. Alexander, New Dimensions Family Ministry

Bishop A. Alexander from New Dimensions Family Ministry was called forward to provide the Invocation.

PRESENTATIONS

Department of Housing and Community Development Assistant Secretary Danielle Meister presented an overview of homelessness trends, challenges, and best practices, explaining that homelessness was primarily driven by housing affordability, income inequality, and a lack of affordable housing. She noted that Salisbury's housing costs were unusually high for a rural community, reviewed local eviction and homelessness trends, and highlighted the growing number of older adults and individuals experiencing chronic homelessness. She emphasized the need for permanent supportive housing, rental subsidies, accessible housing, and wraparound services, while warning that anticipated reductions in federal funding would increase the need for local investment. She recommended adopting a Housing First approach, expanding participation in the Homeless Management Information System (HMIS) and coordinated entry, increasing housing-focused case management, reducing barriers to shelter access, strengthening collaboration among service providers, and pursuing additional state and federal funding opportunities. She also encouraged the City to explore shared housing and home-sharing models as affordable housing alternatives and to continue working with developers and community partners to expand housing options. During discussion, Council members thanked the DHCD team for touring local service providers and providing recommendations, expressed support for continuing the partnership, and emphasized the importance of increasing accessible housing and services for individuals experiencing homelessness and those with disabilities.

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

Ms. English presented the legislative agenda.

President Jackson called for a motion and a second to adopt the legislative agenda as presented. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

AWARD OF BIDS

Mr. Lowe presented the following:

- **Award of Bids**

1. ITB 26-123: ADA Ramps and Sidewalks
2. ITB 26-124: War Memorial Stormwater Improvements
3. ITB 26-129: Park Pedestrian Bridge Handrail

President Jackson called for a motion and a second to approve the award of bids. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

RESOLUTIONS

Presented by Ms. Bosche

- **MWIFA Loan for Naylor Mill Project**

Resolution No. 3474 - authorizing the issuance and sale of a General Obligation Bond in an amount not to exceed \$4,674,910 for the purpose of financing the Naylor Mill Water Main Extension Project; approving a Drinking Water loan agreement with the Maryland Water Infrastructure Financing Administration; pledging the full faith and credit for repayment of the bond; and authorizing related actions necessary to carry out the purposes of this resolution. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

PUBLIC HEARING

President Jackson directed anyone wishing to comment during the public hearings to stand and be sworn in by the City Clerk. Nine members of the public were sworn in.

- **Large Family Child Care Homes - 2nd Reading**

Ordinance No. 2996 - amending Title 17 of the Salisbury City Code to add a definition of a "large family child care home" and to designate the zoning districts in which the various types of child care homes can be established.

The public hearing was opened at 6:51 p.m. Having no comments, the hearing was closed at 6:52 p.m. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

- **North Schumaker Dr. Annexation - 2nd Reading**

Resolution No. 3472 - to annex certain land to be known as the "North Schumaker Drive Annexation", as described in the Property Description and Annexation Plat attached and incorporated as exhibits herein, consisting of 12.870 acres more or less, into the City of Salisbury and to provide for the terms and conditions of the annexation.

President Jackson opened the public hearing at 6:55 p.m.

The following comments were heard:

- Speaker #1 urged the City Council to amend Resolution No. 3472 to designate the annexation as R10S instead of R10A.
- Speaker #2 supported changing the annexation zoning designation to R10S.
- Speaker #3 requested that Resolution 3472 be amended to reflect R10S zoning, citing concerns that the proposed R10A high-density zoning would increase traffic, impact neighborhood character, and threaten the environmentally sensitive Schumaker Pond wetland.
- Speaker #4 spoke in opposition to Resolution No. 3472, raising concerns about public trust, the annexation process, the use of R10A zoning instead of staff-recommended R10S zoning.
- Speaker #5 opposed the annexation, expressing concerns about connecting the proposed townhouse development to existing neighborhood streets, increased traffic impacts, and the need for single-family homes
- Speaker #6 opposed the proposed zoning, supporting R10S designation and expressing concerns about apartment-style development, neighborhood compatibility, property values, traffic, and safety impacts from connecting the development to existing streets.
- Speaker #7 urged the City Council to change the zoning designation to R10S, citing concerns about neighborhood compatibility, increased traffic, and safety risks associated with a proposed roadway connection through the existing community.
- Speaker #8 supported changing the annexation zoning to R10S, citing the City staff recommendation, concerns about ignoring residents' input, impacts on infrastructure and neighborhood character, and arguing that single-family development would better align with the surrounding community.
- Speaker #9 suggested sending the annexation proposal back to the new Planning Commission for further review, expressing concerns about the prior commission's handling of the matter and noting his belief that a fresh review would be beneficial.

With no further comments, Ms. Jackson closed the hearing at 7:17 p.m.

Ms. Blake requested clarification on whether the vote concerned only the annexation of the 12.5 acres or also the zoning designation, and recommended tabling the item and returning it to the new Planning Commission for review, noting concerns about proceeding with a zoning recommendation from a previous commission.

After some confusion, several more members of the public were sworn in and Ms. Jackson re-opened the public hearing at 7:22 p.m.

- Speaker #1 stated that the annexation followed the required review process, clarified that Maryland Department of the Environment would oversee stormwater concerns, explained that the zoning difference would only impact six units, and emphasized that the townhomes would provide more affordable homeownership opportunities consistent with the City's comprehensive plan.
- Speaker #2 outlined the annexation process timeline, noting the project had undergone multiple reviews, meetings, and public input opportunities. He stated the proposed 60-unit development complies with the City's comprehensive plan, explained the property's unique conditions, and urged the Council to continue following the established process.
- Speaker #3 acknowledged the developer's investment and affordable housing goals but argued that the Council should consider changing the zoning to R10S, noting that City staff

recommendations were previously disregarded and suggesting single-family homes as an alternative development option.

- Speaker #4 supported his neighbors, stating that the issue was not about stormwater but about annexation, and urged the Council not to vote while there was confusion surrounding the matter.
- Speaker #5 urged the Council to support R10S zoning, emphasizing the importance of preserving single-family development, considering environmental impacts, and following City staff recommendations to protect the community's future.
- Speaker #6 urged the Council to protect the existing neighborhood character by requiring single-family development, noting residents' long-term investment in the community and expressing concerns that the proposed development would disrupt the area.

Ms. Jackson closed the public hearing at 7:38 p.m.

Ms. Holland stated she could not support the resolution as written and recommended amending the zoning to R10S, but after discussion regarding potential legal, site plan, and county waiver implications, the Council agreed to table Resolution No. 3472 for further review. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

ORDINANCES

Presented by Ms. Bosche

- FY2027 Budget Ordinance - 2nd Reading

Ordinance No. 2999 - appropriating the necessary funds for the operation of the government and administration for the period July 1, 2026 to June 30, 2027, establishing the levy for the general fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds. Michele R. Gregory motioned and Angela M. Blake seconded. The vote was 5-0.

- FY2027 Water Sewer Rate Ordinance - 2nd Reading

Ordinance No. 3000 - to amend Water and Sewer rates to increase rates by 2.5% and making said changes effective for all bills dated October 1, 2026 and thereafter, unless and until subsequently revised or changed. Melissa D. Holland motioned and Sharon C. Dashiell seconded. The vote was 5-0.

- FY2027 Fee Ordinance - 2nd Reading

Ordinance No. 3001 - to set fees for FY2027 and thereafter unless and until subsequently revised or changed. Angela M. Blake motioned and Melissa D. Holland seconded. The vote was 5-0.

- SAFE Monarch Grant - 2nd Reading

Ordinance No. 3003 - authorizing the Mayor to enter into a contract with SAFE Monarch for the purpose of accepting grant funds in the amount of \$4, 945 and to approve a budget amendment to the grant fund to appropriate these funds for expenses associated with supporting monarch and other native pollinator populations. Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

- Live Arts in Public Spaces - 2nd Reading

Ordinance No. 3004 - amending Title 5 of the Salisbury City Code, creating a new chapter entitled "5.45 - Live Arts in Public Spaces" Sharon C. Dashiell motioned and Michele R. Gregory seconded. The vote was 5-0.

- LGIT Grant Acceptance – Vehicle Monitoring Program - 2nd Reading

Ordinance No. 3005 - to accept funds awarded by the Local Government Insurance Trust (LGIT) for the City of Salisbury Department of Field Operations' implementation and expansion of vehicle monitoring. Angela M. Blake motioned and Michele R. Gregory seconded. The vote was 5-0.

- Legal Fees - 2nd Reading

Ordinance No. 3006 - approving a budget amendment of the FY2026 General Fund budget to appropriate additional funds required for legal services. Sharon C. Dashiell motioned and Melissa D. Holland seconded. The vote was 5-0.

- Ordinance-Grant Acceptance Region IV Rural Health Transformation Grant - 1st reading

Ordinance No. 3007 - authorizing the Mayor to enter into a contract with the Maryland Institute for Emergency Medical Services Systems (MIEMSS) for the purpose of accepting grant funds in the amount of \$13,729.00 and to approve a budget amendment to the grant fund to appropriate these funds for the Salisbury Fire Department Melissa D. Holland motioned and Michele R. Gregory seconded. The vote was 5-0.

ADJOURNMENT/CONVENE INTO WORK SESSION

The Legislative Session was adjourned at 7:58 p.m.

City Clerk

Council President



City of Salisbury

Memo

To: Mayor Randy Taylor
From: Hannah Long
Date: August 7, 2026
Subject: Bicycle and Pedestrian Committee

The following person has applied for appointment to the Bicycle and Pedestrian Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Elizabeth Mulvihill	August 2029

Attached is the applicant's information and the resolution necessary for this appointment.

Attachment(s):
[Res3479](#)

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RESOLUTION NO. 3479

BE IT RESOLVED, by the City of Salisbury, Maryland that the following individual is appointed to the Bicycle and Pedestrian Advisory Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Elizabeth Mulvihill	August 2029

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on August 24, 2026.

ATTEST:

_____ Julie A. English CITY CLERK	_____ April R. Jackson PRESIDENT, City Council
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APPROVED BY ME THIS

_____ day of _____, 2026

Randolph J. Taylor, Mayor



Memo

To: Nick Rice, City Administrator
From: Michael Lowe, Director of Procurement
Date: August 24, 2026
Subject: Award of Bid(s)

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 27-107 City Park Lighting poles and mounting accessories

- Scope of Work: Delivery of poles and mounting accessories for the City Park Lighting Master Plan
- Vendor: ED Supply Co.
- Cost- \$ 217,749.75
- GL Account 98119-513026-48041
 - 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.”
 - Sole Source Justification and manufacturer letter attached

Attachment(s):
[Attachments.pdf](#)



To: Mike Lowe, Director of Procurement

From: Levi Higgins, Executive Project Manager, Office of the Mayor

Date: 8-13-2026

RE: Award of Contract – Decorative Lighting Assemblies (City Park Lighting – Phases I, II & III)

The Office of the Mayor seeks approval to enter into a contract to purchase decorative lighting assemblies required for the City Park Lighting Project.

Scope of Work:

Provide and deliver HADCO decorative lighting poles, fixtures, arm brackets, anchor templates, bolt kits, and photocells to support the electrical and architectural design of the City Park Lighting system. These materials are required to meet the stamped engineering specifications prepared by Keystone Engineering Group and to maintain compatibility with existing park lighting infrastructure.

Vendor:

ED Supply Co. (Salisbury, MD) Authorized regional distributor of HADCO lighting assemblies.

Notes:

- Municipal Code 2.32.050.C.5 – Noncompetitive Negotiation / Sole Source Procurement
- HADCO assemblies are proprietary and required by the engineering drawings
- Components are not interchangeable with other manufacturers
- ED Supply is the exclusive regional distributor for HADCO products
- Both quotes are required for this project
- Updated pricing is provided in the attached vendor quotations



Required Quotes:

Quote QS002830 (Rev. 001)

- Qty: 25 each
- Total: \$107,749.75
- Includes:
 - HADCO C1379TE Fixtures
 - HADCO C1379TPE-PSAPM Arms
 - HADCO C1379TPO Poles
 - HADCO 41100027 Bolt Kits
 - HADCO T01000385 Templates
 - PREMI 8690 Photocells

Quote QS002726 (Rev. 007)

- Qty: 25 each
- Total: \$110,000.00
- Includes:
 - HADCO C1379F Fixtures
 - HADCO C1379F2-PSAPM Arms
 - HADCO C1379FC Poles
 - HADCO 41100027 Bolt Kits
 - HADCO T100083S Templates
 - PREMI 8690 Photocells

The Office of the Mayor hereby requests Procurement, Mayor, and Council approval to enter into a contract with ED Supply Co. for the acquisition of the decorative lighting assemblies as indicated.



CITY OF SALISBURY

SOLE SOURCE PURCHASE JUSTIFICATION

Questions about this form? Please call (410) 548-3190

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 City Park Lighting project requires **HADCO decorative lighting assemblies** as specified in the stamped engineering drawings prepared by **Keystone Engineering Group**. These assemblies include HADCO C1379-series fixtures, arms, poles, bolt kits, and anchor templates. The components are **proprietary**, engineered as a unified system, and **not interchangeable** with other manufacturers without redesigning the project, revising photometric analysis, and resubmitting plans for permitting. Compatibility with existing HADCO lighting already installed in City Park also requires the use of identical manufacturer components.

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.

ED Supply Co. is the **exclusive regional distributor** for HADCO decorative lighting assemblies. HADCO does not sell directly and does not authorize multiple distributors in this region. ED Supply provided updated quotations for all required components:

- **Quote QS002830 (Rev. 001) – Total: \$107,749.75**
- **Quote QS002726 (Rev. 007) – Total: \$110,000.00**

Both quotes are required because the project uses **two different HADCO product configurations** across Phases I–III.

No other vendor is authorized to supply these HADCO assemblies.

Describe your efforts to identify other potential products or sources.

HADCO confirmed that ED Supply is the **only authorized distributor** for this region. No other vendors can supply the required components. Alternative manufacturers cannot meet the stamped engineering specifications.



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 cause the City to need more like items in the future)?

Yes. City Park already uses HADCO decorative lighting. Future replacements, maintenance, and expansions must use HADCO components to maintain compatibility.

Describe the negotiation efforts that have been made with the supplier to obtain the best possible price.

ED Supply provided updated pricing in both quotations and confirmed freight as **prepaid**. Pricing reflects current manufacturer costs and consolidated lot pricing for the full project quantity.

Antef 8/14/2026

Customer Quote For: CITY OF SALISBURY

ED SUPPLY

Quote: Q5002726

Revision #: 007



ED SUPPLY
457 SNOW HILL ROAD
SALISBURY MD 21804
Tel: (410)546-2201 Fax: (410)546-1634

Contact Name: TARA CORDER
Email: TCORDER@EDSUPPLY.COM

Quote Date: 06/24/26
Updated On: 08/13/26
Expires On: 07/24/26

Job Name: CANAL PARK

Attn:

Ship To: CITY OF SALISBURY
125 N. DIVISION ST.
SALISBURY, MD 21801-0000

Customer PO #:
Customer PO Date:
FOB: SHIPPING POINT
Freight: PREPAID

LN	Product	Qty	Price	Per *	Ext Price
01	W/GCFI ON POLES				
02	HADCO C13797E C13797E Type/Desig FIXTURE	25	\$1,453.93	E	\$36,348.25
03	HADCO CA13797C-P5APM CA13797C-P5APM Type/Desig ARM	25	\$962.36	E	\$24,059.00
04	HADCO CP13797C CP13797C Type/Desig POLE	25	\$1,905.51	E	\$47,637.75
05	HADCO 41100027 4100027 Type/Desig BOLTS	25	\$42.39	E	\$1,059.75
06	HADCO T01000385 T01000385 Type/Desig TEMPL	25	\$16.58	E	\$414.50
07	PREMU 8690 105-285VAC TWIST LOCK PHOTOCELL Type/Desig PC	25	\$19.23	E	\$480.75

Merchandise: \$110,000.00
Tax: \$0.00
Total: \$110,000.00

PLEASE NOTE: THIS IS NOT AN OFFER TO CONTRACT, BUT MERELY A QUOTATION OF CURRENT PRICES FOR YOUR CONVENIENCE AND INFORMATION. ORDERS BASED ON THIS QUOTATION ARE SUBJECT TO YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS LOCATED AT SALES.OUR-TERMS.COM, WHICH WE MAY CHANGE FROM TIME TO TIME WITHOUT PRIOR NOTICE. WE MAKE NO REPRESENTATION WITH RESPECT TO COMPLIANCE WITH JOB SPECIFICATIONS.

Customer Quote For: CITY OF SALISBURY

ED SUPPLY

Quote: Q5002830

Revision #: 001



ED SUPPLY
457 SNOW HILL ROAD
SALISBURY MD 21804
Tel: (410)546-2201 Fax: (410)546-1634

Contact Name: TARA CORDER
Email: TCORDER@EDSUPPLY.COM

Quote Date: 08/13/26
Updated On: 08/13/26
Expires On: 09/12/26

Job Name: CANAL PARK
Attn:
Ship To: CITY OF SALISBURY

Customer PO #:
Customer PO Date:
FOB: SHIPPING POINT
Freight: PREPAID

LN	Product	Qty	Price	Per *	Ext Price
01	WITHOUT GFCI ON POLES				
02	HADCO C13797E C13797E Type/Desig FIXTURE	25	\$1,453.93	E	\$36,348.25
03	HADCO CA13797C-P5APM CA13797C-P5APM Type/Desig ARM	25	\$962.36	E	\$24,059.00
04	HADCO CP13797D CP13797D Type/Desig POLE	25	\$1,815.50	E	\$45,387.50
05	HADCO 41100027 4100027 Type/Desig BOLTS	25	\$42.39	E	\$1,059.75
06	HADCO T01000385 T01000385 Type/Desig TEMPL	25	\$16.58	E	\$414.50
07	PREMU 8690 105-285VAC TWIST LOCK PHOTOCELL Type/Desig PC	25	\$19.23	E	\$480.75

Merchandise: \$107,749.75
Tax: \$0.00
Total: \$107,749.75

PLEASE NOTE: THIS IS NOT AN OFFER TO CONTRACT, BUT MERELY A QUOTATION OF CURRENT PRICES FOR YOUR CONVENIENCE AND INFORMATION. ORDERS BASED ON THIS QUOTATION ARE SUBJECT TO YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS LOCATED AT SALES.OUR-TERMS.COM, WHICH WE MAY CHANGE FROM TIME TO TIME WITHOUT PRIOR NOTICE. WE MAKE NO REPRESENTATION WITH RESPECT TO COMPLIANCE WITH JOB SPECIFICATIONS.



Memo

To: Nick Rice, City Administrator
From: Scarlett Liberto, Associate Planner
Date: June 30, 2026
Subject: Revise Cannabis Grower and Processor Distances - 2nd Reading

The Council is asked to consider a text amendment to the City of Salisbury Zoning Code, specifically the

following chapters and sections:

- 17.36.45 General Commercial District - Prohibited Uses
- 17.76.050 Light Industrial District - Development Standards
- 17.80.040 Industrial Park District - General Standards and Requirements

The proposed amendments are summarized below:

- Prohibit the use of cannabis growers and processors within the General Commercial District, closing a loophole within the City's Zoning Code
- Reduce the 500-foot buffer distance requirement to no less than 250-foot from sensitive uses on the case-by-case basis
- Removal of the 1,000-foot distance requirement from other cannabis businesses

Cannabis Growers and Processors are only permitted within the Light Industrial and Industrial Park

Districts. The Staff of the Department of Infrastructure and Development believes that restricting these

uses to only non-residential and non-commercial zones is appropriate. These two Zoning Districts have

sensitive uses and residences located in and adjacent to them, which severely limits the locations available

to processors and growers. The 1,000-foot buffer between cannabis business' also makes it incredibly

difficult to find locations available with the Light Industrial and Industrial Park Districts.

Work Sessions were held at the Planning Commission on March 12th, April 9th, May 14th to discuss the

request, staff recommendations and extensive research compiled by the staff. The proposed

amendment was reviewed by the City Attorney and a public hearing was held at the regular meeting of the Planning Commission on May 11, 2026. During the May 11th Commission meeting they reached a majority vote of 4-1 to recommend the proposed amendment to revise cannabis grower and processor distances.

Attachment(s):

[Staff Report](#)

[Map-Industrial Districts & Sensitive Uses \(excludes residential\)](#)

[Position Statement](#)

[Ord3012](#)



Infrastructure and Development Staff Report

May 14, 2026

I. SUMMARY OF REQUEST:

Planning staff are recommending a text amendment to the City of Salisbury Zoning Code, specifically the following chapters and sections:

- 17.36.45 Prohibited Uses
- 17.76.050 Development Standards
- 17.80.040 General Standards and Requirements

The proposed amendments are summarized below:

- Removal of the 1,000 foot distance requirement from another cannabis business
- Add a special exception to decrease the 500 foot buffer down to **250 feet** from primary and secondary schools, licensed child care center, registered family child care home playground, recreation center, library, church or public park, on a case by case basis
- Add cannabis processor and/or growers to the prohibited uses in the General Commercial District

II. PROCEDURE:

The City of Salisbury Code Chapter 17.228.020A provides the procedure for amendments to the Zoning Code, as follows:

A. Planning Commission Review.

1. *All applications for a zoning code text amendment or a district boundary change shall be made to the planning director, and any such amendment, supplement, modification, change or repeal shall be referred to the Salisbury planning commission for review and recommendation to the city council.*
1. *The planning commission shall cause such investigation and study to be made as it deems necessary to prepare a report containing the commission's recommendation to the city council.*
2. *The commission shall hold a public hearing and shall submit its report and recommendation to the city council within six months of receipt of such application.*
3. *If the planning commission fails to submit its report and recommendation within six months, any such proposed amendment, supplement, modification or change may be acted upon by the city council without benefit of such report or recommendation.*

III. PLANNING & ZONING ANALYSIS



Staff of the Department of Infrastructure and Development for the City of Salisbury recommend amendments to the Zoning Code with regards to cannabis growing and processing, specifically Sections 17.36.45, 17.76.050 and 17.80.040. The attached draft amendments show a removal of the distance requirements from other cannabis businesses. After much discussion and research, the staff would like to propose that the 500-foot buffer distance requirement be reduced to 250 feet from sensitive uses on a case by case basis. As well as prohibiting the use of cannabis growers and processors within the General Commercial District, closing a loophole within our City's Code. It should be noted that these businesses would still need to be properly licensed by the State, meet all applicable State requirements and comply with all other provisions of the City's Code.

Cannabis Grower and Cannabis Processor are only permitted in the Light Industrial and Industrial Park districts. While restricting these uses to only certain non-residential and non-commercial zones is appropriate, this severely limits the locations available to this use in the City, hence the request for a special exception for the distance requirement from special uses.

As a new and growing industry, this is an opportunity for the City of Salisbury to bring in new business and jobs to our industrial sector. However, this is challenging due to the distance requirements from sensitive uses which are permitted inherently in the City's industrial zones. The removal of the 1,000 foot distance requirement from another cannabis business would allow separate businesses, such as growers and processors to operate near each other and allow for a business incubator to support new cannabis growing and processing businesses, and foster industry synergy that would be of great benefit to the city.

While the State *does* have distance requirements for dispensaries, it *does not* have distance requirements for cannabis growers and cannabis processors. It is noted that in the City Zoning Code, Cannabis On-Site Consumption Establishments are specifically prohibited and cannabis dispensaries are not a permitted use where cannabis growing and processing is allowed.

Definitions pertaining to the specific use:

"Cannabis Grower" means an entity licensed under Title 36 of the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland that cultivates, or packages, cannabis and is authorized by the Cannabis Administration to provide cannabis to other cannabis licensees and registered independent testing laboratories.

"Cannabis Processor" means a licensed entity that:

- (1) Transforms cannabis into another product or an extract and packages and labels the cannabis product; and*
- (2) Is authorized by the [Cannabis] Administration to provide cannabis to licensed dispensaries and registered independent testing laboratories.*



Attachment 1 – Proposed amendments

Chapter 17.36 - GENERAL COMMERCIAL DISTRICT

17.36.020 - Permitted uses.

A. Permitted uses shall be as follows:

18. Light industrial uses, as listed in the light industrial district, **except those uses explicitly prohibited per Section 17.36.045**, completely confined within a building with no outside storage of raw materials or finished products;

17.36.045 - Prohibited uses.

A. Adult entertainment businesses, as defined in this title, shall be prohibited.

B. A Cannabis On-Site Consumption Establishment, as defined in this title, shall be prohibited.

C. Cannabis Grower and/or Processor Facilities, as defined in this title, shall be prohibited

Chapter 17.76 - LIGHT INDUSTRIAL DISTRICT

17.76.025 - Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

A. Group home;

B. Restaurant;

C. Gasoline service facilities with convenience goods clearly incidental to the gas facility;

D. Day-care center or nursery school in accordance with chapter 17.220;

E. Day care facilities for the elderly and handicapped;

F. Outdoor storage yard, in accordance with section 17.220.040;

G. Cannabis Processor and/or Growers,

1. Located more than two hundred and/or fifty (250) feet but less than five hundred (500) feet of:

a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home or

b. A playground, recreation center, library, church or public park

2. Not located adjacent to a residential use.



17.76.050 - Development standards.

Development standards for the light industrial district shall be as follows:

- I. Cannabis grower and/or processor;
 - 1. May not be located within five hundred (500) feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home; or
 - b. A playground, recreation center, library, church or public park; ~~or~~
 - c. ~~One thousand (1,000) feet of another cannabis business.~~
 - 2. May not be located adjacent to a residential use.

Chapter 17.80 - INDUSTRIAL PARK DISTRICT

17.80.040 - General standards and requirements.

In preparing the overall plan for development of the industrial park, the developer shall take into consideration the following, which shall be taken into consideration by the approving agencies:

- I. Cannabis grower and/or processor;
 - 1. May not be located within five hundred (500) feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home; or
 - b. A playground, recreation center, library, church or public park; ~~or~~
 - c. ~~One thousand (1,000) feet of another cannabis business.~~
 - 2. May not be located adjacent to a residential use;
 - 3. A Cannabis On-Site Consumption Establishment is prohibited.

17.80.065 – Uses permitted by special exception

Uses permitted by special exception shall be as follows:

- G. Cannabis Processor and/or Growers,
 - 1. Located more than two hundred and fifty (250) feet but less than five hundred (500) feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home or
 - b. A playground, recreation center, library, church or public park
 - 2. Not located adjacent to a residential use.



Attachment 2- National and State Regulations

The Maryland Cannabis Administration (MCA) is the agency responsible for regulating the cultivation, manufacture, testing, and distribution of medical and adult-use cannabis in Maryland.

- The link below is a Zoning Update following HB0805 effective June 2024, most of the information in this document pertains to dispensaries rather than processing and cultivation facilities
- On the MCA website there is a plethora of different FAQs answering various questions relating to dispensaries, processing facilities and cultivation

https://cannabis.maryland.gov/Documents/2024_Laws_and_Regulations/Zoning%20Update%20%281%29.pdf

- The MCA also has Advertising Restrictions, for packaging, advertising, and signage

https://cannabis.maryland.gov/Documents/2025_Laws_and_Regulations/Advertising%20Restrictions%20%285%29.pdf

According to the MCA, local jurisdictions may not:

- Adopt an ordinance establishing zoning or operational requirements for a licensed dispensary that are more restrictive than the requirements for licensed alcoholic beverage retailers in their jurisdiction.
- Establish zoning or other requirements that unduly burden the cannabis licensee.
- Impose licensing, operating, or other fees or requirements on a cannabis licensee that are disproportionately greater or more burdensome than those imposed on other businesses with a similar impact on the area where the cannabis licensee is located.
- Prohibit transportation through or deliveries within the political subdivision by cannabis businesses located in other political subdivisions.
- Prohibit the adult-use retail of cannabis by licensees within the jurisdiction.

NFPA 420 – Standard on Fire Protection of Cannabis Growing and Processing Facilities

- National standard for cannabis growing and processing facilities
- Specifies ventilation and exhaust systems needed for facilities
- The link below is access to the proposed 2027 code

<https://submittals.nfpa.org/TerraViewWeb/ViewerPage.jsp?id=42proposed.ditamap&pubStatus=FDR>

0 0.25 0.5 1 Miles



Use

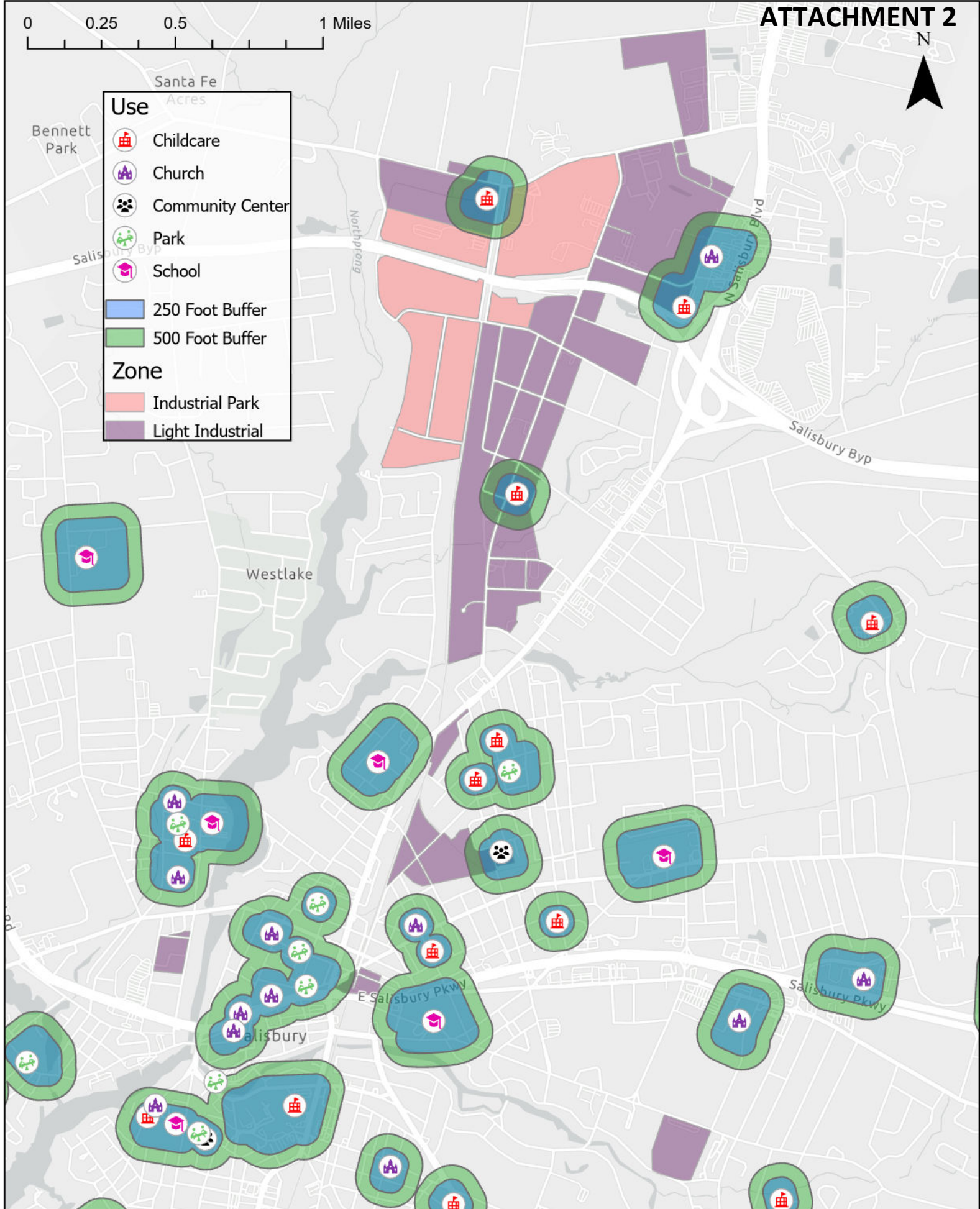
-  Childcare
-  Church
-  Community Center
-  Park
-  School

Zone

-  Industrial Park
-  Light Industrial

Buffer

-  250 Foot Buffer
-  500 Foot Buffer



Position Statement

Proposed Amendment to the Cannabis Business Proximity Requirements

Presented to: Mayor, Council President, and Members of the Salisbury City Council

Presented by: Steven Johnson, Operator, Jasis Laboratory

Date: August 2026

Subject: Maintaining the 1,000-Foot Separation Requirement for Cannabis Dispensaries While Providing Appropriate Zoning Flexibility for Licensed Cannabis Processors and Cultivators

Good afternoon, Mayor, Council President, and Members of the Salisbury City Council.

My name is Steven Johnson, and I am the operator of Jasis Laboratory, a licensed cannabis processor in Maryland. Thank you for the opportunity to address you regarding the City's current 1,000-foot cannabis business proximity requirement.

As the City Council considers policies that shape Salisbury's economic development, land use, and long-term growth, I respectfully ask that the Council consider the unique role industrial cannabis facilities play in our local economy and how existing zoning requirements can be refined to better reflect the realities of these operations while continuing to protect the public interest.

Jasis Laboratory is a licensed cannabis processor that manufactures products for both the adult-use and medical cannabis markets. While we proudly serve both markets, our primary mission is supporting Maryland's medical cannabis patients—particularly individuals seeking alternatives for pain management and those working to reduce or eliminate dependence on opioid medications. We are committed to producing safe, regulated, high-quality products that promote patient health and wellness.

I would like to begin by emphasizing that we fully support maintaining the existing 1,000-foot separation requirement for cannabis dispensaries. Dispensaries are retail establishments that directly serve consumers, and the planning considerations associated with retail businesses are different from those of industrial operations. Appropriate spacing between retail locations helps promote orderly development and prevents unnecessary market saturation.

However, we respectfully ask the Council to consider treating cannabis processors and cultivators differently from dispensaries when evaluating proximity requirements.

Processors and cultivators are industrial businesses. We do not serve walk-in customers or generate consumer traffic, and our day-to-day operations closely resemble those of other manufacturing and production facilities already permitted in industrial zones. Applying the same separation requirements designed for retail businesses may unintentionally limit the availability of suitable industrial properties without providing a corresponding public benefit.

Allowing processors and cultivators to locate within designated industrial areas offers several practical advantages. It promotes operational efficiency, supports responsible economic

development, and makes better use of existing industrial-zoned properties. It can also encourage private investment, create skilled manufacturing jobs, and increase occupancy of industrial facilities.

There are also regulatory benefits. When licensed cannabis processors and cultivators are located within the same industrial corridor, state and local inspectors, compliance personnel, and other regulatory agencies can conduct inspections more efficiently, reducing travel time while improving oversight and coordination.

This approach is also consistent with sound zoning principles. Land-use regulations are most effective when they distinguish between fundamentally different types of businesses based on their operational characteristics rather than regulating all cannabis license types the same way. Industrial facilities should be evaluated as industrial uses, while retail establishments should continue to be regulated as retail uses.

As the City continues to shape its approach to cannabis-related development, we encourage the Council to recognize the important distinction between retail cannabis businesses and industrial cannabis facilities. Maintaining the 1,000-foot separation requirement for dispensaries while exempting processors and cultivators—or establishing a reduced separation standard for industrial cannabis facilities—would better reflect the operational realities of the industry while continuing to protect public safety, regulatory oversight, and community interests.

We respectfully ask the City Council to preserve the current proximity requirements for dispensaries while providing greater flexibility for processors and cultivators operating within appropriately zoned industrial areas. This balanced approach supports responsible growth, encourages economic investment, and allows industrial cannabis businesses to operate where they are most compatible with surrounding land uses.

By making this distinction, Salisbury has the opportunity to encourage investment, create quality jobs, support Maryland's medical cannabis patients, and position itself as a leader in responsible cannabis manufacturing—while maintaining appropriate safeguards for retail operations and the surrounding community.

Thank you for your time, your consideration, and your continued service to the City of Salisbury. I appreciate the opportunity to share my perspective and would be happy to answer any questions.

Respectfully,

Steven Johnson

Operator, Jasis Laboratory

(44-) 462-0361

ORDINANCE NO. 3012

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTIONS 17.36.020, 17.36.045, 17.76.050, AND 17.80.040 OF THE SALISBURY CITY CODE TO REVISE CANNABIS GROWER AND PROCESSOR DISTANCES.

WHEREAS, the ongoing application, administration and enforcement of Title 17 (Zoning) of the City of Salisbury Municipal Code (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 17 current, 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**”);

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 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;

WHEREAS, the Mayor and Council may amend Title 17 (Zoning) of the Salisbury City Code pursuant to the authority granted by MD Code, Land Use, § 4-102, subject to the provisions set forth in Section 17.228.020;

WHEREAS, current regulations governing the location of cannabis growers and/or processors are restrictive in that they prohibit entities from conducting business near each other, as well as near sensitive uses.

WHEREAS, allowing cannabis growers and/or processors to operate within close proximity of each other will support new businesses and foster industry synergy within industrial districts.

WHEREAS, permitting cannabis growers and/or processors to operate in closer proximity to sensitive uses, after obtaining a special exception, will provide added flexibility to the location requirements of such entities.

WHEREAS, pursuant to Section 17.228.020 of the Salisbury City Code, any amendment to the Salisbury Zoning Code requires the recommendation of the Salisbury Planning and Zoning Commission (the “Planning Commission”) prior to the passage of an ordinance amending Sections 17.36.020, 17.36.045, 17.76.025, 17.76.050, 17.80.040.

WHEREAS, at the conclusion of its April 9, 2026 meeting, the Planning Commission recommended that the amendments to Sections 17.36.020, 17.36.045, 17.76.050 and 17.80.040 of the Salisbury City Code set forth herein be approved by the Mayor and Council; and

WHEREAS, the Mayor and Council have determined that the amendments to Sections 17.36.020, 17.36.045, 17.76.050 and 17.80.040 of the Salisbury City Code shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Title 17 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Section 17.36.020 of the Salisbury City Code, entitled “Permitted uses” shall be amended as follows:

Chapter 17.36 GENERAL COMMERCIAL DISTRICT

17.36.020 Permitted uses.

A. Permitted uses shall be as follows:

1. Apartment units, in accordance with chapter 17.168;
2. Bank;

3. Bakery;
4. Boardinghouse/rooming house;
5. Business center in accordance with the requirements of chapter 17.172, provided that each individual lot shall have a minimum of six thousand (6,000) square feet of land area;
6. Carpenter, sheet metal, sign, blacksmith and welding shop, provided that all activities are confined within a building;
7. Church and other place of worship;
8. Club, lodge and fraternal organization;
9. Cultivation of land;
10. Cultural uses, such as museum, library or art gallery;
11. Dry-cleaning plant;
12. Eating and drinking establishments, including tavern, dance hall, nightclub and restaurants, all types;
13. Firehouse;
14. Equipment sales, rental, service, repair or maintenance facility for industrial, automotive, marine, office, construction, household, business or farm equipment;
15. Greenhouse, florist and nursery;
16. Hotel, motel or motor hotel;
17. Laboratory and establishment for production, sale, fitting or repair of eyeglasses, hearing aids and prosthetic appliances;
18. Light industrial uses, as listed in the light industrial district, **except those uses explicitly prohibited under Section 17.36.045**, completely confined within a building with no outside storage of raw materials or finished products;
19. Lumber and building supplies;
20. Marina;
21. Medical-care facility;
22. Medical and dental office and clinic;
23. Police station or substation;
24. Parking garage, public or private;
25. Mixed use building as defined in Section 17.04.120 in this chapter in accordance with a comprehensive site plan, as approved by the planning commission, with a mandatory five-foot-wide landscaping area abutting all property lines and parking lots. Signage shall be the same as required for a shopping center;
26. Neighborhood shopping center not exceeding thirty thousand (30,000) gross square feet of building area in accordance with the requirements of chapter 17.212;
27. Office or office building for more than one office;
28. Radio or television broadcasting station or studio;
29. Retail sales;

30. School of special instruction;
31. Service, rental or repair establishment, such as laundry or laundromat, automobile rental, gasoline and service station, car wash, appliance repair, equipment or instrument repair or rental, dry-cleaning pickup station, hairdresser shop, pet-grooming shop, excluding outdoor runs, upholstery shop, funeral home, tailor and other uses of similar nature;
32. Taxi and limousine service;
33. Theater, excluding drive-in theater;
34. Wholesale business, warehouse, moving, storage and distribution establishment, including wholesale sales;
35. Group domiciliary care facility;
36. Townhouse development, in accordance with chapter 17.224.

Section 2. Section 17.36.045 of the Salisbury City Code, entitled “Prohibited uses” shall be amended as follows:

Chapter 17.36 GENERAL COMMERCIAL DISTRICT

17.36.045 Prohibited uses.

- A. Adult entertainment businesses, as defined in this title, shall be prohibited.
- B. A Cannabis On-Site Consumption Establishment, as defined in this title, shall be prohibited.
- C. Cannabis Grower and Processor Facilities, as defined in this title, shall be prohibited.**

Section 3. Section 17.76.050 of the Salisbury City Code, entitled “Development standards” shall be amended as follows:

Chapter 17.76 LIGHT INDUSTRIAL DISTRICT

17.76.050 Development standards.

Development standards for the light industrial district shall be as follows:

- A. All uses shall be conducted within a completely enclosed building. Raw materials, in-process materials, supplies or waste material from manufacturing may be stored outside in open sheds if completely screened from view by landscaping or fencing in accordance with chapter 17.220. Finished or semifinished products manufactured or assembled on the premises may be stored outside in the side or rear yard if completely screened from view by landscaping or fencing in accordance with chapter 17.220.
- B. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:
 - 1. Lot area: twenty thousand (20,000) square feet;
 - 2. Interior lot width: one hundred (100) feet;
 - 3. Corner lot width: one hundred twenty (120) feet.
- C. Minimum yard requirements shall be as follows:
 - 1. Front: fifty (50) feet;
 - 2. Rear: thirty (30) feet; fifty (50) feet where adjoining a residential district;
 - 3. Side: twenty-five (25) feet; fifty (50) feet where adjoining a residential district;

4. Corner, side: same as front yard.
- D. Parking. Parking, loading and unloading areas shall be provided in accordance with chapter 17.196.
- E. The height limitation shall be fifty (50) feet.
- F. Access. Direct access onto a public street may be reduced or eliminated wherever the city department of infrastructure and development determines that alternate or unified points of access are available to a site resulting in better traffic flow and less traffic congestion. Service drives and loading and unloading areas shall be located so that in the process of loading or unloading no truck will block the passage of other vehicles on the service drive or extend into any public street or private drive used for traffic circulation.
- G. Signs shall be in accordance with chapter 17.216.
- H. Landscaping and Screening. In addition to the requirements of chapter 17.220, all areas not devoted to buildings and required parking shall be landscaped and maintained in accordance with section 17.220.080.
- I Cannabis grower and/or processor;
 1. May not be located within 500 feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home; or
 - b. A playground, recreation center, library, church or public park;~~or~~
 - ~~c. 1,000 feet of another cannabis business.~~
 2. May not be located adjacent to a residential use.
- J. Upon request of an applicant and consideration of the criteria set forth in 17.232.020, as applicable, the Board of Appeals may grant a special exception reducing the 500-foot buffer provided for in 17.76.050(I)(1) to not less than 250 feet.**

Section 4. Section 17.80.040 of the Salisbury City Code, entitled “General standards and requirements” shall be amended as follows:

Chapter 17.80 INDUSTRIAL PARK DISTRICT

17.80.040 General standards and requirements.

In preparing the overall plan for development of the industrial park, the developer shall take into consideration the following, which shall be taken into consideration by the approving agencies:

- A. The layout of the site should be that overall systems for sewer, water and drainage may be provided to adequately serve the proposed industrial uses.
- B. Natural Growth and Screening.
 1. Natural growth should be maintained in such a manner as to screen residential areas adjacent to or development near the boundaries of the park.
 2. Existing foliage should be used for the screening of open storage yards and unsightly areas within the industrial park.
 3. Other methods of screening should also be used as recommended for screening in chapter 17.220 where there is no natural growth or to supplement existing natural growth to provide adequate screening.
 4. Perimeter screening areas shall be shown on the overall development plan.

- 153 C. Provisions should be made for docking facilities if adjacent to navigable waters and for the extension of
154 rails to those facilities and sites within the park where possible.
- 155 D. The layout of the site should provide a maximum flexibility for sites of various sizes, shapes and locations
156 for industries that may desire to locate there.
- 157 E. The layout should lend itself to an orderly series of stages of development to ensure that access and utilities
158 can be provided to each site at a minimum of expense and effort.
- 159 F. All setbacks and side and rear yard and height requirements shall be established in a manner which will
160 provide maximum flexibility within the park and, at the same time, adequately protect surrounding
161 development and development within the park.
- 162 G. Outdoor storage of finished or semifinished products manufactured or assembled on the premises shall not
163 be located within the front yard and shall be screened in a manner which will be compatible with the
164 architecture of the main building and adequately contain the material stored.
- 165 H. The approved development plan shall contain whatever additional use restrictions are deemed necessary
166 to promote the health, safety and general welfare of surrounding residents and properties.
- 167 I. Cannabis grower and/or processor;
- 168 1. May not be located within 500 feet of:
- 169 a. A pre-existing primary or secondary school in the State or a licensed child care center or
170 registered family child care home; or
- 171 b. A playground, recreation center, library, church or public park; or
- 172 ~~c. 1,000 feet of another cannabis business.~~
- 173 2. May not be located adjacent to a residential use;
- 174 3. A Cannabis On-Site Consumption Establishment is prohibited.
- 175 **J. Upon request of an applicant and consideration of the criteria set forth in 17.232.020, as applicable,**
176 **the Board of Appeals may grant a special exception reducing the 500-foot buffer provided for in**
177 **17.80.040(I)(1) to not less than 250 feet.**

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

180 **Section 5.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this
181 Ordinance shall be deemed independent of all other provisions herein.

182 **Section 6.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section,
183 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise
184 unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph,
185 subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be
186 deemed valid and enforceable.

187 **Section 7.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such
188 recitals were specifically set forth at length in this Section 7.

189 **Section 8.** This Ordinance shall take effect from and after the date of its final passage.

191 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury
192 held on the 27 day of July, 2026 and thereafter, a statement of the substance of the Ordinance having been published

193 as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 10 day of
194 August, 2026.

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196 **ATTEST:**

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199 _____
200 **Julie A. English, City Clerk**

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Randolph J. Taylor, Mayor

April R. Jackson, City Council President

Approved by me, this _____ day of _____, 2026.



Memo

To: Mayor and Council
From: Allen Swiger, Deputy City Administrator
Date: July 17, 2026
Subject: Reallocation of PAYGO Funds to the City Park Master Plan Project - 2nd reading

The ordinance authorizes the reallocation of unexpended PAYGO funds from the completed St. Peters Main Street Project and the Schumaker Pond Project to the City Park Master Plan Project. Upon completion of the St. Peters Main Street Project and the Schumaker Pond Project, unexpended PAYGO funds remained available within those project accounts. The proposed ordinance transfers these remaining funds to the City Park Master Plan Project to support continued planning and implementation efforts.

The budget amendment reallocates the following amounts:

- St. Peters Main Street Project:
 - o Interest: \$17,692.00
 - o Transfer: \$117.88
 - o Construction: \$17,809.88
- Schumaker Pond Project:
 - o PAYGO: \$20,000.00
 - o Construction: \$20,000.00

These funds are reallocated to the City Park Master Plan Project as follows:

- Interest: \$17,692.00
- Transfer: \$117.88
- PAYGO: \$20,000.00
- Construction: \$37,809.88

The total amount being reallocated is \$37,809.88. This action does not require any additional City funding or increase the overall General Capital Project Fund budget. It simply reallocates existing PAYGO appropriations from completed projects to a current capital project where the funds can be effectively utilized.

Attachment(s):
[Ord3015](#)

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ORDINANCE NO. 3015

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE
MAYOR TO REALLOCATE PAYGO FUNDS FROM THE ST. PETERS
MAIN STREET PROJECT AND THE SCHUMAKER POND PROJECT TO
THE CITY PARK MASTER PLAN PROJECT.**

WHEREAS, the City of Salisbury has completed the St. Peters Main Street Project and the Schumaker Pond Project and has determined that unexpended PAYGO funds remain available within those projects for reallocation; and

WHEREAS, the City has determined that additional PAYGO funding is needed to support the City Park Master Plan Project and that reallocating the remaining unexpended PAYGO funds from the St. Peters Main Street Project and the Schumaker Pond Project will provide the necessary funding for that project; and

WHEREAS, the reallocation of these funds will allow the City to efficiently utilize available capital resources while advancing the implementation of the City Park Master Plan Project; and

WHEREAS, pursuant to the City Charter, such appropriations must be made upon the recommendation of the Mayor and approved by at least 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 reallocate and to appropriate funds as set forth in Section 2 of this Ordinance for the projects identified herein.

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

Section 2. The General Capital Project Fund Budget of the City of Salisbury shall be and hereby is amended as follows:

Account	Project Description		Amount
98002-456110-48022	St. Peters Main Street Interest	Decrease	17,692.00
98002-469110-48022	St. Peters Main Street Transfer	Decrease	117.88
98002-513026-48022	St. Peters Main Street Construction	Decrease	17,809.88
98002-469313-48086	Schumaker Pond Paygo	Decrease	20,000.00
98002-513026-48086	Schumaker Pond Construction	Decrease	20,000.00
98002-456110-48019	City Park Master Plan Interest	Increase	17,692.00
98002-469110-48019	City Park Master Plan Transfer	Increase	117.88
98002-469313-48019	City Park Master Plan Paygo	Increase	20,000.00
98102-513026-48019	City Park Master Plan Construction	Increase	37,809.88

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

Section 3. 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.

42 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
43 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
44 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
45 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
46 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

47
48 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
49 if such recitals were specifically set forth at length in this Section 5.

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51 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

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53 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
54 Salisbury held on the 10 day of August, 2026 and thereafter, a statement of the substance of the Ordinance
55 having been published as required by law, in the meantime, was finally passed by the Council of the City
56 of Salisbury on the 24 day of August, 2026.

57
58 **ATTEST:**

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61 _____
62 **Julie A. English, City Clerk**

April R. Jackson, City Council President

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64 Approved by me, this _____ day of _____, 2026.

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67 **Randolph J. Taylor, Mayor**



Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2012 Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3016](#)

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ORDINANCE NO. 3016

AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2140, PASSED BY THE COUNCIL ON MARCH 14, 2011, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE “CITY”) ON MARCH 18, 2011 AND EFFECTIVE ON MARCH 18, 2011 (“ORDINANCE NO. 2140”), AS PREVIOUSLY AMENDED AND SUPPLEMENTED, IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY CERTAIN INVESTMENT EARNINGS ON THE \$7,693,000 CITY OF SALISBURY PUBLIC IMPROVEMENTS BOND OF 2012 ISSUED ON MAY 3, 2012 (THE “2012 BOND”) TO A PROJECT IDENTIFIED HEREIN AS “ZOO FACILITY IMPROVEMENTS,” IN ADDITION TO THE PROJECTS ORIGINALLY IDENTIFIED IN ORDINANCE NO. 2140, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, AND (2) IDENTIFY SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF ORDINANCE NO. 2140, AS AMENDED AND SUPPLEMENTED; PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2012 BOND.

RECITALS

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WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the “City”), was authorized and empowered by Sections 31 to 37, inclusive, of Article 23A of the Annotated Code of Maryland (now codified as Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland), as replaced, supplemented or amended (the “Enabling Act”), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

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WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2140, passed by the Council of the City (the “Council”) on March 14, 2011, approved by the Mayor of the City (the “Mayor”) on March 18, 2011 and effective on March 18, 2011 (“Ordinance No. 2140”), the City authorized general obligation bonds to be issued from time to time in one or more series in an aggregate principal amount not to exceed Seven Million Seven Hundred Thousand Dollars (\$7,700,000.00) (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” (as defined in Section 3(b) of Ordinance No. 2140) of the projects and costs of issuance identified in Section 3(b) of Ordinance No. 2140 as (i) “Riverwalk Repairs,” (ii) “East Main Street Water Valve,” (iii) “Isabella Street Water,” (iv) “East Main Street Sewer,” (v) “Isabella Street

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Sewer,” (vi) “Lift Station Pump Replacement,” (vii) “N. Division Street Sewer,” (viii) “Wastewater Treatment Plant Upgrade,” and (ix) “Costs of Issuance” (herein referred to as the “Original Authorized Projects” and referred to as the “Projects” in Ordinance No. 2140) in the maximum principal amounts set forth opposite each such Original Authorized Project in such Section 3(b); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2140 and Resolution No. 2160, adopted by the Council on April 23, 2012, approved by the Mayor on April 24, 2012 and effective on April 24, 2012 (“Resolution No. 2160”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” (as defined in Section 2(b) of Resolution No. 2160, which definition mirrors the definition of “costs” set forth in Section 3(b) of Ordinance No. 2140) of the projects specified in Section 2(a) of Resolution No. 2160 (which included all of the Original Authorized Projects), and to evidence this borrowing by the issuance and sale of a single series of the Authorized Bonds in the form of a single general obligation bond in the maximum principal amount of Seven Million Seven Hundred Thousand Dollars (\$7,700,000.00): and

WHEREAS, pursuant to Resolution No. 2160, the Mayor, with the assistance of the financial advisor to the City, the City Administrator of the City (the “City Administrator”) and the Director of Internal Services of the City (the Director of Internal Services”), was authorized to reduce the maximum principal amount of such Authorized Bond prior to issuance if it was determined that the entire authorized principal amount of \$7,700,000.00 was not needed due to any reduction in the amount needed for costs of issuance; and

WHEREAS, in accordance with the provisions of Resolution No. 2160, the Mayor, with the assistance of the City Administrator and the Director of Internal Services (which position is now titled as the Director of Finance), determined to reduce the final original principal amount of such Authorized Bond to Seven Million Six Hundred Ninety-Three Thousand Dollars (\$7,693,000.00) due to a reduction in the amount needed for costs of issuance, and such Authorized Bond as issued was designated as the “City of Salisbury Public Improvements Bond of 2012” (the “2012 Bond”); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2140 and Resolution No. 2160, the City issued and delivered the 2012 Bond to SunTrust Bank on May 3, 2012; and

WHEREAS, Section 2 of Resolution No. 2160 provides that proceeds of the 2012 Bond (which is referred to as the “Bond” in Resolution No. 2160) shall be appropriated and allocated to the specified Original Authorized Projects identified therein, subject to the further provisions of such Section 2 (which Original Authorized Projects are referred to as the “Projects” in Resolution No. 2160); and

WHEREAS, after giving effect to issuance of the 2012 Bond, only \$7,000.00 of bonding authority remained unused under Ordinance No. 2140; accordingly, for all practical purposes the 2012

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Bond constitutes the only “Bonds” that will be issued pursuant to authority of Ordinance No. 2140 and the only “Authorized Bonds” as referred to in this Ordinance, and no BANs (as defined in Ordinance No. 2140) will be issued pursuant to the authority set forth in Ordinance No. 2140; and

WHEREAS, pursuant to Ordinance No. 2381, passed by the Council on April 11, 2016, approved by the Mayor on April 12, 2016 on April 12, 2016 (“Ordinance No. 2381”), the City reallocated \$1,996,355.00 of the principal amount of the Authorized Bonds originally allocated to the Original Authorized Project identified as “N. Division Street Sewer” to the Original Authorized Project identified as “Lift Station Pump Replacement,” such that the maximum principal amount of the Authorized Bonds was reallocated as follows:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk Repairs	\$ 500,000.00
2.	East Main Street Water Valve	100,000.00
3.	Isabella Street Water	435,000.00
4.	East Main Street Sewer	100,000.00
5.	Isabella Street Sewer	66,000.00
6.	Lift Station Pump Replacement	2,346,355.00
7.	N. Division Street Sewer	103,645.00
8.	Wastewater Treatment Plant Upgrade	4,000,000.00
9.	Costs of Issuance	<u>49,000.00</u>
TOTAL		<u>\$7,700,000.00</u>

; and

WHEREAS, pursuant to Ordinance No. 2391, passed by the Council on June 20, 2016, approved on behalf of the Mayor on June 22, 2016 and effective on June 22, 2016 (“Ordinance No. 2391”), the City reallocated \$118,906.00 of the principal amount of the Authorized Bonds originally allocated to the Original Authorized Project identified as “Wastewater Treatment Plant Upgrade” to the Original Authorized Project identified as “East Main Street Sewer,” such that the maximum principal amount of the Authorized Bonds was reallocated as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk Repairs	\$ 500,000.00
2.	East Main Street Water Valve	100,000.00
3.	Isabella Street Water	435,000.00
4.	East Main Street Sewer (1)	218,906.00
5.	Isabella Street Sewer	66,000.00
6.	Lift Station Pump Replacement	2,346,355.00
7.	N. Division Street Sewer	103,645.00
8.	Wastewater Treatment Plant Upgrade	3,881,094.00
9.	Costs of Issuance	49,000.00
TOTAL		<u>\$7,700,000.00</u>

(1) In addition, Ordinance No. 2391 allocated \$14,914.55 of investment earnings on the 2012 Bond to this project; and

WHEREAS, on July 28, 2016, the City issued its \$20,030,000 City of Salisbury Public Improvement and Refunding Bonds of 2016 (the “2016 Bonds”), a portion of the proceeds of which were applied to currently refund the then-outstanding principal amount of the 2012 Bond; and

WHEREAS, at the time of issuance of the 2016 Bonds, a portion of the proceeds of the 2012 Bond remained unexpended, and such unexpended proceeds of the 2012 Bond were considered “transferred proceeds” of the 2016 Bonds for purposes of the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder (collectively, the “Code”); and

WHEREAS, the outstanding 2012 Bond was prepaid in whole on July 28, 2016; and

WHEREAS, pursuant to Ordinance No. 2588, passed by the Council on April 27, 2020, approved by the Mayor on May 6, 2020 and effective on May 6, 2020 (“Ordinance No. 2588”), the City amended and supplemented Ordinance No. 2140 in order to reallocate a total of \$328,711.00 of the principal amount of the 2012 Bond originally allocated among the Original Authorized Projects identified as “East Main Street Water Valve,” “Isabella Street Water,” and “Wastewater Treatment Plant Upgrade” in Ordinance No. 2140 and Resolution No. 2160 was reallocated, together with certain investment earnings on proceeds of the 2012 Bond, to certain projects referred to in the City’s fiscal year 2020 budget as “Chemical Building HVAC,” “Paleo Fluoride Room Door and Tank Replacement,” “WWTP Outfall Inspection and Repairs,” “Park Aerator Building Improvements,” and “Park Water Treatment Plant Roof Improvements” (collectively, the “2020 Additional Projects”) such that the maximum principal amount of the Authorized Bonds was reallocated as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk Repairs	\$ 500,000.00
2.	East Main Street Water Valve	75,294.00
3.	Isabella Street Water	144,169.00
4.	East Main Street Sewer	218,906.00
5.	Isabella Street Sewer	66,000.00
6.	Lift Station Pump Replacement	2,346,355.00
7.	N. Division Street Sewer	103,645.00
8.	Wastewater Treatment Plant Upgrade	3,867,920.00
9.	Chemical Building HVAC	48,000.00
10.	Paleo Fluoride Room Door and Tank Replacement	60,000.00
11.	WWTP Outfall Inspection and Repairs	78,030.00
12.	Park Aerator Building Improvements	81,600.00
13.	Park Water Treatment Plant Roof Improvements	61,081.00
14.	Costs of Issuance	49,000.00
TOTAL		<u>\$7,700,000.00</u>

; and

WHEREAS, the City wishes to allocate \$14,748.00 of investment earnings on the 2012 Bond to a project not included in Ordinance No. 2140 or Ordinance No. 2588 that is generally referred to as “Zoo Facility Improvements” or by similar names (the “2026 Additional Project”); and

WHEREAS, accordingly, the City desires to expand the list of the Original Authorized Projects and the 2020 Additional Projects provided for in Ordinance No. 2140 and Ordinance No. 2588, in order to allow certain investment earnings on the Authorized Bonds (meaning the 2012 Bond) to be applied to the 2026 Additional Project and to identify such 2026 Additional Project as part of the “Projects” for all purposes of Ordinance No. 2140, as amended and supplemented; and

WHEREAS, while the remaining unexpended proceeds of the 2012 Bond (including investment earnings thereon) are treated as “transferred proceeds” of the 2016 Bonds for purposes of the Code, they are referred to as proceeds of the 2012 Bond for purposes of this Ordinance.

SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that:

(a) The Recitals to this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that are not defined therein shall have the meanings given to such terms in the Recitals.

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(b) References in this Ordinance to any 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 the “principal amount” of any obligations shall be construed to mean the par amount of such obligations.

(d) References in this Ordinance to “investment earnings” shall be construed to include interest income.

(e) References in this Ordinance to the application or use of proceeds of the 2012 Bond to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to mean (i) for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2140 and Resolution No. 2160, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds (including investment earnings) to finance or reimburse costs of the 2026 Revised Projects, and (ii) to the extent applicable for purposes of the Code, expenditure or application of such proceeds as “transferred proceeds” of the 2016 Bonds.

SECTION 2. BE IT FURTHER ENACTED AND ORDAINED that:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2140, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2140, as amended and supplemented to date, is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, land and right-of-way acquisition and development; site and utility improvements; acquisition, construction, expansion, demolition, reconstruction, replacement, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses; planning, design, engineering, architectural, feasibility, inspection, surveying, financial and legal expenses, and related or similar costs; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); capitalized interest (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of any such project. The

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total Bond (or BAN, as identified in Section 6 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of any investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk Repairs	\$ 500,000.00
2.	East Main Street Water Valve	75,294.00
3.	Isabella Street Water	144,169.00
4.	East Main Street Sewer	218,906.00
5.	Isabella Street Sewer	66,000.00
6.	Lift Station Pump Replacement	2,346,355.00
7.	N. Division Street Sewer	103,645.00
8.	Wastewater Treatment Plant Upgrade	3,867,920.00
9.	Chemical Building HVAC	48,000.00
10.	Paleo Fluoride Room Door and Tank Replacement	60,000.00
11.	WWTP Outfall Inspection and Repairs	78,030.00
12.	Park Aerator Building Improvements	81,600.00
13.	Park Water Treatment Plant Roof Improvements	61,081.00
14.	Zoo Facility Improvements (1)	0.00
15.	Costs of Issuance	49,000.00
TOTAL		<u>\$7,700,000.00</u>

(1) The City intends to allocate certain investment earnings on the Bonds to this project.

The projects and costs of issuance identified in items 1-15 above are collectively referred to herein as the "Projects." The Projects described in items 1-15 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects identified herein in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable costs (as defined above) relating to the Projects identified in items 1-15 above, notwithstanding the

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descriptive names used for such Projects in the table above, including, without limitation, costs related to changes in the scopes of activities relating to the Projects and/or the names of the Projects, as such scopes of activities or names may have already been, or may in the future be, amended or modified in accordance with applicable budgetary procedures or applicable law.”

(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2140 (as amended and supplemented to date) provided for in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified as item 14 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of projects the costs of which may be financed or reimbursed from principal of or investment earnings on the 2012 Bond, once the provisions of subsection (d) below and Section 7 below have been complied with, and renumbering “Costs of Issuance” as item 15 in such table. The Council hereby appropriates and allocates \$14,748.00 of investment earnings on the 2012 Bond to be applied to costs of the 2026 Additional Project identified in the table in subsection (a) above as “Zoo Facility Improvements.”

(c) The projects identified in the table set forth in subsection (a) above (which amends Section 3(b) of Ordinance No. 2140, as amended and supplemented to date) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2140, as amended and supplemented to date, shall be deemed to be references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2140, as amended and supplemented, including by this Ordinance, with respect to the application of the principal amount of the Authorized Bonds (which, for all practical purposes, is the 2012 Bond).

(d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of the 2012 Bond and investment earnings thereon may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2160, as amended and supplemented to date, to include the 2026 Additional Project in the list of Projects identified in Resolution No. 2160, as amended and supplemented to date, thereby allowing \$14,748.00 of the investment earnings on the 2012 Bond to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of subsection (d) above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the principal amount of the 2012 Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2140 (as amended and supplemented to date), Resolution No. 2160 (as amended and supplemented to date) or applicable budgetary procedures or applicable law and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in

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263 accordance with applicable budgetary procedures or applicable law, including, to the extent
264 applicable, by resolution.

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266 **SECTION 3. BE IT FURTHER ENACTED AND ORDAINED** that, subject to the
267 provisions of Sections 2(d) and 7 of this Ordinance, the Mayor, the City Administrator, the Director
268 of Finance and all other appropriate officials and employees of the City, to the extent acting within
269 the scope of their respective authority, are hereby authorized and empowered to take any and all action
270 necessary or appropriate to provide for the application of investment earnings on the 2012 Bond to
271 finance or reimburse costs of the 2026 Additional Project and to approve, execute and deliver all
272 documents, certificates or instruments necessary or appropriate in connection therewith or in
273 connection with the transactions contemplated by this Ordinance, including, without limitation, any
274 amendments, modifications or supplements to any documents, certificates or instruments delivered in
275 connection with the 2012 Bond or the 2016 Bonds.

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277 **SECTION 4. BE IT FURTHER ENACTED AND ORDAINED** that from and after the
278 effective date of this Ordinance, Ordinance No. 2140, as amended and supplemented to date, shall be
279 deemed further amended and supplemented as provided herein and all other terms and provisions of
280 Ordinance No. 2140, as amended and supplemented to date, shall remain in full force and effect.

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282 **SECTION 5. BE IT FURTHER ENACTED AND ORDAINED** that the title of this
283 Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting
284 and all other purposes.

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286 **SECTION 6. BE IT FURTHER ENACTED AND ORDAINED** that the provisions of this
287 Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this
288 Ordinance.

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290 **SECTION 7. BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall
291 become effective following approval by the Mayor or subsequent passage by the Council following
292 the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided,
293 however, that unless and until the City adopts a resolution making corresponding amendments to the
294 provisions of Section 2(a) of Resolution No. 2160, the City may not apply any proceeds of the 2012
295 Bond (including investment earnings) to costs of the 2026 Additional Project, notwithstanding the
296 effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be
297 subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A English, City Clerk

April R. Jackson, City Council President

APPROVED BY ME THIS _____ **DAY OF** _____, 2026:

Randolph J. Taylor, Mayor

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2013 Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

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Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3017](#)

1
2
3 **ORDINANCE NO. 3017**

4 **AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF**
5 **SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2273,**
6 **PASSED BY THE COUNCIL ON DECEMBER 16, 2013, APPROVED BY**
7 **THE MAYOR OF CITY OF SALISBURY (THE “CITY”) ON DECEMBER**
8 **16, 2013 AND EFFECTIVE ON DECEMBER 16, 2013 (“ORDINANCE NO.**
9 **2273”), AS PREVIOUSLY AMENDED AND SUPPLEMENTED, IN ORDER**
10 **TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY**
11 **CERTAIN INVESTMENT EARNINGS ON THE \$3,178,000 CITY OF**
12 **SALISBURY PUBLIC IMPROVEMENTS BOND OF 2013 ISSUED ON**
13 **DECEMBER 23, 2013 (THE “2013 BOND”) TO A PROJECT IDENTIFIED**
14 **HEREIN AS “ZOO FACILITY IMPROVEMENTS,” IN ADDITION TO THE**
15 **PROJECTS ORIGINALLY IDENTIFIED IN ORDINANCE NO. 2273, AS**
16 **PREVIOUSLY AMENDED AND SUPPLEMENTED, AND (2) IDENTIFY**
17 **SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES**
18 **OF ORDINANCE NO. 2273, AS AMENDED AND SUPPLEMENTED;**
19 **PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE**
20 **SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY**
21 **OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE**
22 **TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING**
23 **THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY**
24 **CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE**
25 **OF PROCEEDS OF THE 2013 BOND.**

26 **RECITALS**

27 **WHEREAS**, City of Salisbury, a municipal corporation of the State of Maryland (the “City”),
28 was authorized and empowered by Sections 31 to 37, inclusive, of Article 23A of the Annotated Code
29 of Maryland (now codified as Sections 19-301 to 19-309, inclusive, of the Local Government Article
30 of the Annotated Code of Maryland), as replaced, supplemented or amended (the “Enabling Act”),
31 and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented
32 or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such
33 borrowing by the issuance and sale of its general obligation bonds; and
34

35 **WHEREAS**, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
36 the Charter, and Ordinance No. 2273, passed by the Council of the City (the “Council”) on December
37 16, 2013, approved by the Mayor of the City (the “Mayor”) on December 16, 2013 and effective on
38 December 16, 2013 (“Ordinance No. 2273”), the City authorized general obligation bonds to be
39 issued from time to time in one or more series in an aggregate principal amount not to exceed Three
40 Million One Hundred Seventy-Eight Thousand Dollars (\$3,178,000.00) (the “Authorized Bonds”) in
41 order to finance, reimburse or refinance “costs” (as defined in Section 3(b) of Ordinance No. 2273)
42 of the following projects identified in the maximum principal amounts set forth opposite each such
43 Original Authorized Project in the table below:

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

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk	\$1,600,000.00
2.	Mainstreet Master Plan	268,000.00
3.	Coty Cox Drainage Improvements	1,200,000.00
4.	Germania Circle	110,000.00
TOTAL		<u>\$3,178,000.00</u>

; and

WHEREAS, the projects identified in the table in the preceding WHEREAS clause are referred to in this Ordinance as the “Original Authorized Projects” and were referred to in Ordinance No. 2273 as the “Projects;” and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2273 and Resolution No. 2358, adopted by the Council on December 16, 2013, approved by the Mayor on December 16, 2013 and effective on December 16, 2013 (“Resolution No. 2358”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” (as defined in Section 2(b) of Resolution No. 2358, which definition mirrors the definition of “costs” set forth in Section 3(b) of Ordinance No. 2273) of the projects specified in Section 2(a) of Resolution No. 2358 (which included all of the Original Authorized Projects), and to evidence this borrowing by the issuance and sale of a single series of the Authorized Bonds in the form of a single general obligation bond in the maximum principal amount of Three Million One Hundred Seventy-Eight Thousand Dollars (\$3,178,000.00) and designated as the “City of Salisbury Public Improvements Bond of 2013” (the “2013 Bond”); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2273 and Resolution No. 2358, the City issued and delivered the 2013 Bond to Hebron Savings Bank on December 23, 2013; and

WHEREAS, Section 2 of Resolution No. 2358 provides that proceeds of the 2013 Bond (which is referred to as the “Bond” in Resolution No. 2358) shall be appropriated and allocated to the specified Original Authorized Projects identified therein, subject to the further provisions of such Section 2 (which Original Authorized Projects are referred to as the “Projects” in Resolution No. 2358); and

WHEREAS, pursuant to Ordinance No. 2391, passed by the Council on June 20, 2016, approved on behalf of the Mayor on June 22, 2016 and effective on June 22, 2016 (“Ordinance No. 2391”), the City reallocated the principal amount of the Authorized Bonds among the Original Authorized Projects as follows:

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk	\$1,409,892.00
2.	Mainstreet Master Plan (1)	539,894.00
3.	Coty Cox Drainage Improvements	1,200,000.00
4.	Germania Circle	28,213.00
TOTAL		<u>\$3,178,000.00</u>

(1) In addition, Ordinance No. 2391 transferred \$4,345.48 of unallocated investment earnings on the 2013 Bond to this project; and

WHEREAS, on September 1, 2021, the City issued its \$8,965,000 Tax-Exempt Public Improvement and Refunding Bonds of 2021 (the “2021 Tax-Exempt Bonds”), a portion of the proceeds of which were applied to currently refund the then-outstanding principal amount of the 2013 Bond; and

WHEREAS, the outstanding 2013 Bond was prepaid in whole on September 1, 2021; and

WHEREAS, at the time of issuance of the 2021 Tax-Exempt Bonds, a portion of the proceeds of the 2013 Bond remained unexpended, and such unexpended proceeds of the 2013 Bond were considered “transferred proceeds” of the 2021 Tax-Exempt Bonds for purposes of the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder (collectively, the “Code”); and

WHEREAS, pursuant to Ordinance No. 2677, passed by the Council on September 13, 2021, approved by the Mayor on September 20, 2021 and effective on September 20, 2021 (“Ordinance No. 2677”), the City reallocated the principal amount of the Authorized Bonds among the Original Authorized Projects as follows:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk	\$1,409,892.00
2.	Mainstreet Master Plan (1)	577,693.00
3.	Coty Cox Drainage Improvements	1,162,201.00
4.	Germania Circle	28,213.00
TOTAL		<u>\$3,178,000.00</u>

(1) In addition, Ordinance No. 2677 allocated \$24,095.00 of investment earnings on the 2013 Bond to this project; and

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction

105 **WHEREAS**, the City wishes to allocate \$8,724.00 of investment earnings on the 2013 Bond
106 to a project not included in Ordinance No. 2273 that is generally referred to as “Zoo Facility
107 Improvements” or by similar names (the “2026 Additional Project”); and
108

109 **WHEREAS**, accordingly, the City desires to expand the list of the Original Authorized
110 Projects provided for in Ordinance No. 2273 in order to allow certain investment earnings on the
111 Authorized Bonds (meaning the 2013 Bond) to be applied to the 2026 Additional Project and to
112 identify such 2026 Additional Project as part of the “Projects” for all purposes of Ordinance No. 2273,
113 as amended and supplemented; and
114

115 **WHEREAS**, while the remaining unexpended proceeds of the 2013 Bond (including
116 investment earnings thereon) are treated as “transferred proceeds” of the 2021 Tax-Exempt Bonds for
117 purposes of the Code, they are referred to as proceeds of the 2013 Bond for purposes of this
118 Ordinance.
119

120 **SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE**
121 **CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND** that:
122

123 (a) The Recitals to this Ordinance are incorporated by reference herein and deemed a
124 substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that
125 are not defined therein shall have the meanings given to such terms in the Recitals.

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

138 (c) References in this Ordinance to the “principal amount” of any obligations shall be
139 construed to mean the par amount of such obligations.

140 (d) References in this Ordinance to “investment earnings” shall be construed to include
141 interest income.

142 (e) References in this Ordinance to the application or use of proceeds of the 2013 Bond
143 to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to
144 mean (i) for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance

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No. 2273 and Resolution No. 2358, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds (including investment earnings) to finance or reimburse costs of the 2026 Revised Projects, and (ii) to the extent applicable for purposes of the Code, expenditure or application of such proceeds as “transferred proceeds” of the 2021 Tax-Exempt Bonds.

SECTION 2. BE IT FURTHER ENACTED AND ORDAINED that:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2273, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2273, as amended and supplemented to date, is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, land and right-of-way acquisition and development; site and utility improvements; acquisition, construction, expansion, demolition, reconstruction, replacement, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses, and related or similar costs; planning, design, engineering, architectural, feasibility, inspection, construction management, surveying, permitting, financial and legal expenses, and related or similar costs; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of any such project. The total Bond (or BANs, as identified in Section 6 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of any premium realized upon sale or investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

[CONTINUED ON FOLLOWING PAGE]

Underlining : Indicates material added by amendment after introduction
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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Riverwalk	\$1,409,892
2.	Mainstreet Master Plan	577,693
3.	Coty Cox Drainage Improvements	1,162,201
4.	Germania Circle	28,213
5.	Zoo Facility Improvements	0 (1)
	TOTAL	<u>\$3,178,000</u>

(1) The City intends to allocate certain investment earnings on the Bonds to this project.

The projects identified in items 1-5 above are collectively referred to herein as the “Projects.” The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects identified herein in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable costs (as defined above) relating to the Projects identified in items 1-5 above, notwithstanding the descriptive names used for such Projects in the table above, including, without limitation, costs related to changes in the scopes of activities relating to the Projects and/or the names of the Projects, as such scopes of activities or names may have already been, or may in the future be, amended or modified in accordance with applicable budgetary procedures or applicable law.”

(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2273 (as amended and supplemented to date) provided for in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified as item 5 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of projects the costs of which may be financed or reimbursed from principal of or investment earnings on the 2013 Bond, once the provisions of subsection (d) below and Section 7 below have been complied with. The Council hereby appropriates and allocates \$8,724.00 of investment earnings on the 2013 Bond to be applied to costs of the 2026 Additional Project identified in the table in subsection (a) above as “Zoo Facility Improvements.”

(c) The projects identified in the table set forth in subsection (a) above (which amends Section 3(b) of Ordinance No. 2273, as amended and supplemented to date) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2273, as amended and supplemented to date, shall be deemed to be

Underlining : Indicates material added by amendment after introduction

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references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2273, as amended and supplemented, including by this Ordinance, with respect to the application of the principal amount of the Authorized Bonds (meaning the 2013 Bond).

(d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of the 2013 Bond and investment earnings thereon may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2358, as amended and supplemented to date, to include the 2026 Additional Project in the list of Projects identified in Resolution No. 2358, as amended and supplemented to date, thereby allowing \$8,724.00 of the investment earnings on the 2013 Bond to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of subsection (d) above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the principal amount of the 2013 Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2273 (as amended and supplemented to date), Resolution No. 2358 (as amended and supplemented to date) or applicable budgetary procedures or applicable law and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

SECTION 3. BE IT FURTHER ENACTED AND ORDAINED that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of investment earnings on the 2013 Bond to finance or reimburse costs of the 2026 Additional Project and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2013 Bond or the 2021 Tax-Exempt Bonds.

SECTION 4. BE IT FURTHER ENACTED AND ORDAINED that from and after the effective date of this Ordinance, Ordinance No. 2273, as amended and supplemented to date, shall be deemed further amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2273, as amended and supplemented to date, shall remain in full force and effect.

SECTION 5. BE IT FURTHER ENACTED AND ORDAINED that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

Underlining : Indicates material added by amendment after introduction
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SECTION 6. BE IT FURTHER ENACTED AND ORDAINED that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2358, the City may not apply any proceeds of the 2013 Bond (including investment earnings) to costs of the 2026 Additional Project, notwithstanding the effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A English, City Clerk

April R. Jackson, City Council President

APPROVED BY ME THIS _____ **DAY OF** _____, 2026:

Randolph J. Taylor, Mayor

#245301;58111.001

Underlining : Indicates material added by amendment after introduction
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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2014A Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
------------	---	---

2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3018](#)

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44 **WHEREAS**, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
45 the Charter, Ordinance No. 2299 and Resolution No. 2448, adopted by the Council on September 22,
46 2014, approved by the Mayor on September 22, 2014 and effective on September 22, 2014
47 (“Resolution No. 2448”), the City determined to borrow money for the public purpose of financing
48 or reimbursing “costs” (as defined in Section 2(b) of Resolution No. 2448, which definition mirrors
49 the definition of “costs” set forth in Section 3(b) of Ordinance No. 2299) of the Original
50 Authorized Project, and to evidence this borrowing by the issuance and sale of a single series of
51 the Authorized Bonds in the form of a single general obligation bond in the maximum principal
52 amount of Four Million Nine Thousand Dollars (\$4,009,000.00) and designated as the “City of
53 Salisbury Public Improvements Bond, Series 2014A” (the “2014A Bond”); and
54

55 **WHEREAS**, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
56 the Charter, Ordinance No. 2299 and Resolution No. 2448, the City issued and delivered the 2014A
57 Bond to STI Institutional & Government, Inc. on September 26, 2014; and
58

59 **WHEREAS**, Section 2 of Resolution No. 2448 provides that proceeds of the 2014A Bond
60 (which is referred to as the “Series 2014A Bond” in Resolution No. 2448) shall be appropriated and
61 allocated to the Original Authorized Project (which Original Authorized Project is referred to as the
62 “New Money Project” in Resolution No. 2448); and
63

64 **WHEREAS**, after giving effect to issuance of the 2014A Bond, only \$191,000.00 of bonding
65 authority remained unused under Ordinance No. 2299; accordingly, for all practical purposes the
66 2014A Bond constitutes the only “Bonds” that will be issued pursuant to authority of Ordinance No.
67 2299 and the only “Authorized Bonds” as referred to in this Ordinance, and no “BANs” (as defined
68 in Ordinance No. 2299) will be issued pursuant to the authority set forth in Ordinance No. 2299; and
69

70 **WHEREAS**, on July 28, 2016, the City issued its \$20,030,000 Public Improvement and
71 Refunding Bonds of 2016 (the “2016 Bonds”), a portion of the proceeds of which were applied to
72 currently refund the then-outstanding principal amount of the 2014A Bond; and
73

74 **WHEREAS**, at the time of issuance of the 2016 Bonds, a portion of the proceeds of the
75 2014A Bond remained unexpended, and such unexpended proceeds of the 2014A Bond were
76 considered “transferred proceeds” of the 2016 Bonds for purposes of the Internal Revenue Code of
77 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder (collectively, the
78 “Code”); and
79

80 **WHEREAS**, the outstanding 2014A Bond was prepaid in whole on July 28, 2016; and
81

82 **WHEREAS**, the City wishes to allocate \$9,661.00 of investment earnings on the 2014A
83 Bond to a project not included in Ordinance No. 2299 that is generally referred to as “Zoo Facility
84 Improvements” or by similar names (the “2026 Additional Project”); and
85

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction

86 **WHEREAS**, accordingly, the City desires to add the 2026 Additional Project to the Original
87 Authorized Project provided for in Ordinance No. 2299 in order to allow certain investment earnings
88 on the Authorized Bonds (meaning the 2014A Bond) to be applied to the 2026 Additional Project and
89 to identify the Original Authorized Project and the 2026 Additional Project collectively as the
90 “Project” for all purposes of Ordinance No. 2299; and
91

92 **WHEREAS**, while the remaining unexpended proceeds of the 2014A Bond (including
93 investment earnings thereon) are treated as “transferred proceeds” of the 2016 Bonds for purposes of
94 the Code, they are referred to as proceeds of the 2014A Bond for purposes of this Ordinance.
95

96 **SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE**
97 **CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND** that:
98

99 (a) The Recitals to this Ordinance are incorporated by reference herein and deemed a
100 substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that
101 are not defined therein shall have the meanings given to such terms in the Recitals.

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

114 (c) References in this Ordinance to the “principal amount” of any obligations shall be
115 construed to mean the par amount of such obligations.

116 (d) References in this Ordinance to “investment earnings” shall be construed to include
117 interest income.

118 (e) References in this Ordinance to the application or use of proceeds of the 2014A Bond
119 to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to
120 mean (i) for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance
121 No. 2299 and Resolution No. 2448, as the same may be amended, modified or supplemented
122 (including as provided for herein), use of such proceeds (including investment earnings) to finance or
123 reimburse costs of the 2026 Revised Projects, and (ii) to the extent applicable for purposes of the
124 Code, expenditure or application of such proceeds as “transferred proceeds” of the 2016 Bonds.

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125 **SECTION 2. BE IT FURTHER ENACTED AND ORDAINED** that:
126

127 (a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the
128 Charter and Ordinance No. 2299, from and after the effective date of this Ordinance, and subject to
129 Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2299 is hereby deleted in its entirety and
130 inserted in place thereof shall be the following:
131

132 “(b) With respect to the projects listed below, the word “costs” as used in
133 Section 2 hereof shall include, as applicable, land and right-of-way acquisition and
134 development; site and utility improvements; acquisition, construction, expansion,
135 demolition, reconstruction, replacement, renovation, rehabilitation, improvement,
136 installation, furnishing and equipping activities and expenses, and related or similar
137 costs; planning, design, engineering, architectural, feasibility, inspection, construction
138 management, surveying, permitting, financial and legal expenses, and related or
139 similar costs; costs of issuance (which may include costs of bond insurance or other
140 credit or liquidity enhancement); interest during construction and for a reasonable
141 period thereafter (whether or not expressly so stated); and any such costs that may
142 represent the City’s share or contribution to the financing, reimbursement or
143 refinancing of such project. The projects to which proceeds of the Bonds (or BANs,
144 as identified in Section 6 hereof) are to be applied are (i) identified in the City’s capital
145 improvement program as “Facility Renovation – Fire Station #2” and (ii) referred to
146 by the City generally as “Zoo Facility Improvements” (or by a similar name), and as
147 the same may be amended or modified in accordance with applicable law, are
148 collectively referred to herein as the “Project.” It is the intention of the Council that
149 proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any
150 applicable costs (as defined above) relating to the Project. The City intends to
151 allocate certain investment earnings on the Bonds to costs of the project identified
152 as “Zoo Facility Improvements.” The City, without notice to or the consent of any
153 registered owners of the Bonds (or the registered owners of any of the BANs, as
154 applicable), may reallocate the maximum principal amount of the Bonds (and of any
155 of the BANs, as applicable) to be spent among any components of the Project
156 identified herein in compliance with applicable budgetary procedures or applicable
157 law, including, to the extent applicable, by resolution. Further, it is the intention of
158 the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be
159 spent on any applicable costs (as defined above) relating to the Project,
160 notwithstanding the descriptive names used for the Project, including, without
161 limitation, costs related to changes in the scopes of activities relating to the Project
162 and/or the names of the Project, as such scopes of activities or names may have already
163 been, or may in the future be, amended or modified in accordance with applicable
164 budgetary procedures or applicable law.”
165

166 (b) By undertaking the amendments to Section 3(b) of Ordinance No. 2299 provided for
167 in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified

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as “Zoo Facility Improvements” in subsection (a) above to the definition of the “Project” in order to allow costs of the 2026 Additional Project to be financed or reimbursed from principal of or investment earnings on the 2014A Bond, once the provisions of subsection (d) below and Section 7 below have been complied with. The Council hereby appropriates and allocates \$9,661.00 of investment earnings on the 2014A Bond to be applied to costs of the 2026 Additional Project identified in subsection (a) above as “Zoo Facility Improvements.”

(c) The two projects identified in subsection (a) above (which amends Section 3(b) of Ordinance No. 2299) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Project in Ordinance No. 2299 shall be deemed to be references to the 2026 Revised Projects as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2299, as amended and supplemented by this Ordinance, with respect to the application of the principal amount of the Authorized Bonds (which, for all practical purposes, is the 2014A Bond).

(d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of the 2014A Bond and investment earnings thereon may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2448 to include the 2026 Additional Project in the definition of the term “New Money Project” as used in Resolution No. 2448, thereby allowing \$9,661.00 of the investment earnings on the 2014A Bond to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of subsection (d) above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the principal amount of the 2014A Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2299, Resolution No. 2448 or applicable budgetary procedures or applicable law and (ii) on and after the effective date of this Ordinance, shall be applied to costs of either of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

SECTION 3. **BE IT FURTHER ENACTED AND ORDAINED** that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of investment earnings on the 2014A Bond to finance or reimburse costs of the 2026 Additional Project and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any

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amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2014A Bond or the 2016 Bonds.

SECTION 4. BE IT FURTHER ENACTED AND ORDAINED that from and after the effective date of this Ordinance, Ordinance No. 2299 shall be deemed amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2299 shall remain in full force and effect.

SECTION 5. BE IT FURTHER ENACTED AND ORDAINED that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

SECTION 6. BE IT FURTHER ENACTED AND ORDAINED that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2448, the City may not apply any proceeds of the 2014A Bond (including investment earnings) to costs of the 2026 Additional Project, notwithstanding the effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A English, City Clerk

April R. Jackson, City Council President

APPROVED BY ME THIS _____ **DAY OF** _____, 2026:

Randolph J. Taylor, Mayor

#245305;58111.001

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2015 Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3019](#)

1
2
3 **ORDINANCE NO. 3019**

4 **AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF**
5 **SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2357,**
6 **PASSED BY THE COUNCIL ON OCTOBER 12, 2015, APPROVED BY THE**
7 **MAYOR OF CITY OF SALISBURY (THE “CITY”) ON OCTOBER 14, 2015**
8 **AND EFFECTIVE ON OCTOBER 14, 2015 (“ORDINANCE NO. 2357”), AS**
9 **PREVIOUSLY AMENDED AND SUPPLEMENTED, IN ORDER TO (1)**
10 **AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY CERTAIN**
11 **INVESTMENT EARNINGS ON THE \$4,726,200 CITY OF SALISBURY**
12 **PUBLIC IMPROVEMENTS BOND OF 2015 ISSUED ON DECEMBER 1,**
13 **2015 (THE “2015 BOND”) TO A PROJECT IDENTIFIED HEREIN AS “ZOO**
14 **FACILITY IMPROVEMENTS,” IN ADDITION TO THE PROJECTS**
15 **ORIGINALLY IDENTIFIED IN ORDINANCE NO. 2357, AS PREVIOUSLY**
16 **AMENDED AND SUPPLEMENTED, AND (2) IDENTIFY SUCH**
17 **ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF**
18 **ORDINANCE NO. 2357, AS AMENDED AND SUPPLEMENTED;**
19 **PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE**
20 **SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY**
21 **OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE**
22 **TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING**
23 **THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY**
24 **CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE**
25 **OF PROCEEDS OF THE 2015 BOND.**

26 **RECITALS**

27 **WHEREAS**, City of Salisbury, a municipal corporation of the State of Maryland (the “City”),
28 was authorized and empowered by Sections 31 to 37, inclusive, of Article 23A of the Annotated Code
29 of Maryland (now codified as Sections 19-301 to 19-309, inclusive, of the Local Government Article
30 of the Annotated Code of Maryland), as replaced, supplemented or amended (the “Enabling Act”),
31 and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented
32 or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such
33 borrowing by the issuance and sale of its general obligation bonds; and
34

35 **WHEREAS**, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
36 the Charter, and Ordinance No. 2357, passed by the Council of the City (the “Council”) on October
37 12, 2015, approved by the Mayor of the City (the “Mayor”) on October 14, 2015 and effective on
38 October 14, 2015 (“Ordinance No. 2357”), the City authorized general obligation bonds to be issued
39 from time to time in one or more series in an aggregate principal amount not to exceed Four Million
40 Seven Hundred Twenty-Six Thousand Two Hundred Dollars (\$4,726,200.00) (the “Authorized
41 Bonds”) in order to finance, reimburse or refinance “costs” (as defined in Section 3(b) of Ordinance
42 No. 2357) of the projects identified in Section 3(b) of Ordinance No. 2357 as (i) “Main Street Master
43 Plan,” (ii) “East Main St Storm Drain,” (iii) “Beaverdam Creek Tidal Dam Repair,” and (iv) “24” W

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in Gordy Rd” (herein collectively referred to as the “Original Authorized Projects” and referred to as the “Projects” in Ordinance No. 2357) in the maximum principal amounts set forth opposite each such Original Authorized Project in such Section 3(b); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2357 and Resolution No. 2569, adopted by the Council on November 23, 2015, approved by the Mayor on November 23, 2015 and effective on November 23, 2015 (“Resolution No. 2569”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” (as defined in Section 2(b) of Resolution No. 2569, which definition mirrors the definition of “costs” set forth in Section 3(b) of Ordinance No. 2357) of the projects specified in Section 2(a) of Resolution No. 2569 (which included all of the Original Authorized Projects), and to evidence this borrowing by the issuance and sale of a single series of the Authorized Bonds in the form of a single general obligation bond in the maximum principal amount of Seven Million Four Million Seven Hundred Twenty-Six Thousand Two Hundred Dollars (\$4,726,200.00); and

WHEREAS, pursuant to Resolution No. 2569, such Authorized Bond was issued in the original principal amount of \$4,726,200.00 and was designated as the “City of Salisbury Public Improvements Bond of 2015” (the “2015 Bond”); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2357 and Resolution No. 2569, the City issued and delivered the 2015 Bond to Bank of America, N.A. on December 1, 2015; and

WHEREAS, Section 2 of Resolution No. 2569 provides that proceeds of the 2015 Bond (which is referred to as the “Bond” in Resolution No. 2569) shall be appropriated and allocated to the specified Original Authorized Projects identified therein, subject to the further provisions of such Section 2 (which Original Authorized Projects are referred to as the “Projects” in Resolution No. 2569); and

WHEREAS, pursuant to Ordinance No. 2411, passed by the Council on January 23, 2017, approved by the Mayor on January 24, 2017 and effective on January 24, 2017 (“Ordinance No. 2411”), the City reallocated an aggregate of \$548,117.00 (rounded to the nearest whole dollar) of the original principal amount of the Authorized Bonds originally allocated to the Original Authorized Project identified as “Beaverdam Creek Tidal Dam Repair” to costs of the Original Authorized Project identified as “Main Street Master Plan;” and

WHEREAS, pursuant to (i) Ordinance No. 2648, passed by the Council on January 25, 2021, approved by the Mayor on January 27, 2021 and effective on January 27, 2021 (“Ordinance No. 2648”), the City amended and supplemented Ordinance No. 2357, as amended and supplemented by Ordinance No. 2411, and (ii) Resolution No. 3086, adopted by the Council on January 25, 2021, approved by the Mayor on January 27, 2021 and effective on January 27, 2021 (“Resolution No. 3086”), the City amended and supplemented Resolution No. 2569, in order to allocate \$203,500.00 of investment earnings on the 2015 Bond to two new projects identified as “GOB Roof and Air

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Handler Replacement” and “WWTP HVAC” (collectively, the “2021 Additional Projects”), resulting in an aggregate reallocation of principal amount of the 2015 Bond, plus certain investment earnings, as follows:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Main Street Master Plan	\$2,788,117
2.	East Main St Storm Drain	350,200
3.	Beaverdam Creek Tidal Dam Repair	587,883
4.	24” W in Gordy Rd	1,000,000
5.	GOB Roof and Air Handler Replacement	0(1)
6.	WWTP HVAC	0(2)
	TOTAL	<u>\$4,726,200</u>

(1) As provided in Ordinance No. 2648, the City allocated \$113,500.00 of investment earnings of the 2015 Bond to pay costs (as redefined in Ordinance No. 2648 and Resolution No. 3086) of this project.

(2) As provided in Ordinance No. 2648, the City allocated \$90,000.00 of Investment Proceeds of the 2015 Bond to pay costs of this project; and

WHEREAS, the 2015 Bond matured on July 1, 2025 and is no longer outstanding, but certain investment earnings on the 2015 Bond remain unexpended; and

WHEREAS, the City wishes to allocate \$3,036.00 of investment earnings on the 2015 Bond to a project not included in Ordinance No. 2357 or Ordinance No. 2648 that is generally referred to as “Zoo Facility Improvements” or by similar names (the “2026 Additional Project”); and

WHEREAS, the City also wishes to reallocate to the 2026 Additional Project \$15,000.00 of the investment earnings on the 2015 Bond originally allocated to the 2021 Additional Project identified as “GOB Roof and Air Handler Replacement” pursuant to Ordinance No. 2648; and

WHEREAS, accordingly, the City desires to expand the list of the Original Authorized Projects and the 2021 Additional Projects provided for in Ordinance No. 2357 and Ordinance No. 2648, in order to allow certain investment earnings on the Authorized Bonds (meaning the 2015 Bond) to be applied to the 2026 Additional Project and to identify such 2026 Additional Project as part of the “Projects” for all purposes of Ordinance No. 2357, as amended and supplemented.

SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that:

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(a) The Recitals to this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that are not defined therein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any 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 the “principal amount” of any obligations shall be construed to mean the par amount of such obligations.

(d) References in this Ordinance to “investment earnings” shall be construed to include interest income.

(e) References in this Ordinance to the application or use of proceeds of the 2015 Bond to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to mean for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2357 and Resolution No. 2569, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds (including investment earnings) to finance or reimburse costs of the 2026 Revised Projects.

SECTION 2. BE IT FURTHER ENACTED AND ORDAINED that:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2357, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2357, as amended and supplemented to date, is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, land and right-of-way acquisition and development; site and utility improvements; acquisition, construction, expansion, demolition, reconstruction, replacement, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses, and related or similar costs; planning, design, engineering, architectural, feasibility, inspection, construction management, surveying, permitting, financial and legal expenses, and related or

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similar costs; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City's share or contribution to the financing, reimbursement or refinancing of any such project. The total Bond (or BANs, as identified in Section 6 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of any investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Main Street Master Plan	\$2,788,117
2.	East Main St Storm Drain	350,200
3.	Beaverdam Creek Tidal Dam Repair	587,883
4.	24" W in Gordy Rd	1,000,000
5.	GOB Roof and Air Handler Replacement	0(1)
6.	WWTP HVAC	0(2)
7.	Zoo Facility Improvements	0(3)
	TOTAL	<u>\$4,726,200</u>

(1) The City previously allocated certain investment earnings on the Bonds to pay costs of this project.

(2) The City previously allocated certain investment earnings on the Bonds to pay costs of this project.

(3) The City intends to (i) allocate certain investment earnings on the Bonds to this project and (ii) reallocate certain investment earnings previously allocated to the "GOB Roof and Air Handler Replacement" project to this project.

The projects identified in items 1-7 above are collectively referred to herein as the "Projects." The Projects described in items 1-7 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects identified herein in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable costs (as defined above) relating to the Projects, notwithstanding the descriptive names used for such Projects in the

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187 table above, including, without limitation, costs related to changes in the scopes of
188 activities relating to the Projects and/or the names of the Projects, as such scopes of
189 activities or names may have already been, or may in the future be, amended or
190 modified in accordance with applicable budgetary procedures or applicable law.”
191

192 (b) By undertaking the amendments to Section 3(b) of Ordinance No. 2357 (as amended
193 and supplemented to date) provided for in subsection (a) of this Section 2, the City is in effect adding
194 the 2026 Additional Project identified as item 7 “Zoo Facility Improvements” in the table set forth in
195 subsection (a) above to the list of projects the costs of which may be financed or reimbursed from
196 principal of or investment earnings on the 2015 Bond, once the provisions of subsection (d) below
197 and Section 7 below have been complied with. The Council hereby appropriates (i) and allocates
198 \$3,036.00 of investment earnings on the 2015 Bond not previously allocated to costs of the 2026
199 Additional project identified in the table in subsection (a) above as “Zoo Facility Improvements,” and
200 (ii) and reallocates \$15,000.00 of investment earnings on the 2015 Bond previously allocated to the
201 2021 Additional Project identified in the table above in subsection (a) above as “GOB Roof and Air
202 Handler Replacement” to be applied to costs of the 2026 Additional Project identified in the table in
203 subsection (a) above as “Zoo Facility Improvements.”
204

205 (c) The projects identified in the table set forth in subsection (a) above (which amends
206 Section 3(b) of Ordinance No. 2357, as amended and supplemented to date) are collectively referred
207 to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and
208 Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the
209 Projects in Ordinance No. 2357, as amended and supplemented to date, shall be deemed to be
210 references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of
211 subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this
212 Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance
213 No. 2357, as amended and supplemented, including by this Ordinance, with respect to the application
214 of the principal amount of the Authorized Bonds (which is the 2015 Bond because the maximum
215 principal amount of the “Bonds” authorized by Ordinance No. 2357 was issued as the 2015 Bond).
216

217 (d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of
218 the 2015 Bond and investment earnings thereon may not be applied to costs of the 2026 Additional
219 Project unless and until the City adopts a resolution making corresponding amendments to the
220 provisions of Section 2(a) of Resolution No. 2569, as amended and supplemented to date, to include
221 the 2026 Additional Project in the list of Projects identified in Resolution No. 2569, as amended and
222 supplemented to date, thereby allowing \$3,036.00 of the investment earnings on the 2015 Bond to be
223 applied to costs of the 2026 Additional Project.
224

225 (e) Subject to the provisions of subsection (d) above and Section 7 of this Ordinance, it is
226 the intention of the Council that any investment earnings earned on the principal amount of the 2015
227 Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance
228 with the provisions of the Ordinance No. 2357 (as amended and supplemented to date), Resolution
229 No. 2569 (as amended and supplemented to date) or applicable budgetary procedures or applicable

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law and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

SECTION 3. BE IT FURTHER ENACTED AND ORDAINED that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of investment earnings on the 2015 Bond to finance or reimburse costs of the 2026 Additional Project and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2015 Bond or the 2016 Bonds.

SECTION 4. BE IT FURTHER ENACTED AND ORDAINED that from and after the effective date of this Ordinance, Ordinance No. 2357, as amended and supplemented to date, shall be deemed further amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2357, as amended and supplemented to date, shall remain in full force and effect.

SECTION 5. BE IT FURTHER ENACTED AND ORDAINED that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

SECTION 6. BE IT FURTHER ENACTED AND ORDAINED that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2569 (as amended and supplemented to date), the City may not apply any proceeds of the 2015 Bond (including investment earnings) to costs of the 2026 Additional Project, notwithstanding the effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A English, City Clerk

April R. Jackson, City Council President

APPROVED BY ME THIS _____ **DAY OF** _____, 2026:

Randolph J. Taylor, Mayor

#245311;58111.001

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2016 Bonds to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3020](#)

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AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2394, PASSED BY THE COUNCIL ON JULY 18, 2016, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE “CITY”) ON JULY 19, 2016 AND EFFECTIVE ON JULY 19, 2016 (“ORDINANCE NO. 2394”), AS AMENDED AND SUPPLEMENTED TO DATE, IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY A CERTAIN INVESTMENT EARNINGS ON THE \$20,030,000 CITY OF SALISBURY PUBLIC IMPROVEMENT AND REFUNDING BONDS OF 2016 ISSUED ON JULY 28, 2016 (THE “2016 BONDS”) TO THE PROJECT IDENTIFIED HEREIN AS “ZOO FACILITY IMPROVEMENTS,” AND (2) IDENTIFY SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF ORDINANCE NO. 2394 (AS AMENDED AND SUPPLEMENTED); PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2016 BONDS.

4 **RECITALS**

5 **WHEREAS**, City of Salisbury, a municipal corporation of the State of Maryland (the “City”),
6 is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government
7 Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Enabling
8 Act”), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced,
9 supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to
0 evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2394, passed by the Council of the City (the “Council”) on July 18, 2016, approved by the Mayor of the City (the “Mayor”) on July 19, 2016 and effective on July 19, 2016 (“Ordinance No. 2394”), the City authorized general obligation bonds to be issued from time to time in one or more series in an aggregate principal amount not to exceed Four Million Seven Hundred Fifty-One Thousand Five Hundred Dollars (\$4,751,500.00) (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” (as defined in Section 3(b) of Ordinance No. 2394) of the projects identified in Section 3(b) of Ordinance No. 2394 as (1) “Spine Rail Trail”, (2) “Community Centers”, (3) “Riverside Circle”, (4) “Service Center Facility Plan Phase 1”, (5) “E-7 Inspector’s Truck”, (6) “S-14 2001 F-150 Dump Truck”, (7) “S-32 Hot Patch Trail Improvements”, (8) “Replacement of 1998 Roller”, (9) “Lemmon Hill Standpipe”, (10) “Fitzwater Street Lift Station – Phase II”, (11) “Belt Filter Press Rehabilitation”, (12) “Dump Truck”, (13) “Dump Truck WWTP”,

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(14) “Parking Garage Façade and Landscaping”, and (15) “Aquatic Weed Harvester with Unloading Conveyor” (herein collectively referred to as the “Original Authorized New Money Projects” and referred to as the “Projects” in Ordinance No. 2394) in the maximum principal amounts set forth opposite each such Original Authorized New Money Project in such Section 3(b); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2394, certain other ordinances identified in Resolution No. 2645 (defined herein), and Resolution No. 2645, adopted by the Council on July 18, 2016, approved by the Mayor on July 19, 2016 and effective on July 19, 2016 (“Resolution No. 2645”), the City issued on July 28, 2016 its general obligation bonds in the original aggregate principal amount of \$20,030,000 and designated as the “City of Salisbury Public Improvement and Refunding Bonds of 2016” (the “2016 Bonds”): and

WHEREAS, the 2016 Bonds were issued in order to (i) finance or reimburse costs of the Original Authorized New Money Projects, including allocable costs of issuance, and (ii) currently refund on the date of issuance of the 2016 Bonds certain outstanding obligations of the City and pay allocable costs of issuance, all as described in the Tax and Section 148 Certificate of the City dated July 28, 2016 (the “2016 Tax Certificate”); and

WHEREAS, that portion of the 2016 Bonds applied or to be applied for new money purposes (including paying allocable costs of issuance) was authorized by Ordinance No. 2394; and

WHEREAS, because the 2016 Bonds were sold by public sale at competitive bid, the City realized net original issue premium in connection with the sale of the 2016 Bonds that allowed it to reduce the par amount of the 2016 Bonds needed for new money purposes from the maximum par amount authorized for such purposes by Ordinance No. 2394, and thereby to allocate a portion of such net original issue premium, together with the par amount of the 2016 Bonds allocated to new money purposes, to fund the Original Authorized New Money Projects in the maximum aggregate principal amount of \$4,751,500 contemplated by Ordinance No. 2394; and

WHEREAS, \$4,300,000 in par amount of the 2016 Bonds (which constitute the Authorized Bonds for purposes of Ordinance No. 2394), together with a portion of the net original issue premium paid with respect to the 2016 Bonds, was appropriated and allocated to the specified Original Authorized New Money Projects identified below (which Original Authorized New Money Projects are referred to as the “New Money Projects” in Resolution No. 2645), in the amounts set forth below, exclusive of allocable costs of issuance:

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	<u>Project Name</u>	<u>Maximum Amount</u>
1.	Spine Rail Trail	\$150,000
2.	Community Centers	500,000
3.	Riverside Circle	175,000
4.	Service Center Facility Plan Phase 1	102,000
5.	E-7 Inspector's Truck	30,000
6.	S-14 2001 F-150 Dump Truck	48,500
7.	S-32 Hot Patch Trailer Improvements	40,000
8.	Replacement of 1998 Roller	50,000
9.	Lemmon Hill Standpipe	100,000
10.	Fitzwater Street Lift Station – Phase II	2,690,000
11.	Belt Filter Press Rehabilitation	357,000
12.	Dump Truck	90,000
13.	Dump Truck WWTP	90,000
14.	Parking Garage Façade and Landscaping	200,000
15.	Aquatic Weed Harvester with Unloading Conveyor	129,000
	TOTAL	<u>\$4,751,500.00</u>

; and

WHEREAS, Ordinance No. 2394 provides that, without notice to or the consent of any registered owners of the Authorized Bonds, the City may reallocate the maximum principal amount of the Authorized Bonds to be spent among any of the Original Authorized New Money Projects in compliance with applicable budgetary procedures or applicable law; and

WHEREAS, the 2016 Tax Certificate identifies that portion of the par amount of the 2016 Bonds, together with that portion of the net original issue premium on the 2016 allocated to costs of the Original Authorized New Money Projects (which are identified as the “New Money Projects” in the 2016 Tax Certificate), including allocable costs of issuance, as the “New Money Portion” of the 2016 Bonds and such portion is referred to in this Ordinance as the “New Money Portion;” and

WHEREAS, pursuant to Ordinance No. 2544, passed by the Council on June 10, 2019, approved by the Mayor on June 11, 2019 and effective on June 11, 2019 (“Ordinance No. 2544”), the City in effect amended and supplemented Ordinance No. 2394 to (i) reallocate \$129,000.00 of the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “Aquatic Weed Harvester with Unloading Conveyor” to the Original Authorized New Money Project identified as “Riverside Circle,” (ii) reallocate \$500.00 of the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “Spine Rail Trail” to the Original Authorized New Money Project identified as “Riverside Circle,” (iii) reallocate \$4,189.10 of the New Money Portion of the 2016 Bonds originally allocated to costs of issuance to the Original Authorized New Money Project

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identified as “Riverside Circle,” and (iv) allocate \$42,225.38 of investment earnings on the New Money Portion of the 2016 Bonds to the Original Authorized New Money Project identified as “Riverside Circle,” without differentiating between the principal amount of the New Money Portion of the 2016 Bonds and the net original issue premium constituting a portion of the New Money Portion of the 2016 Bonds so allocated to costs of the Original Authorized New Money Projects; and

WHEREAS, pursuant to Ordinance No. 2544, the Council in effect provided that no portion of the proceeds of the New Money Portion of the 2016 Bonds would be applied to the Original Authorized New Money Project identified “Aquatic Weed Harvester with Unloading Conveyor;” and

WHEREAS, pursuant to Ordinance No. 2833, passed by the Council on October 23, 2023, approved by the Acting Mayor of the City on October 24, 2023 and effective on October 24, 2023 (“Ordinance No. 2833”), the City in effect amended and supplemented Ordinance No. 2394, as amended and supplemented by Ordinance No. 2544, to reallocate or allocate, as applicable, the following amounts to the Original Authorized New Money Project identified as “Community Centers:” (i) reallocate \$6,941.77 from the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “Riverside Circle,” (ii) reallocate \$2,267.12 from the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “E-7 Inspector’s Truck,” (iii) reallocate \$4,381.00 from the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “S-14 2001 F-150 Dump Truck,” (iv) reallocate \$4,026.00 from the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “S-32 Hot Patch Trailer Improvements,” (v) reallocate \$13,048.34 from the total amount of the New Money Portion of the 2016 Bonds originally allocated to costs of issuance, and (vi) allocate \$15,054.54 of investment earnings from the New Money Portion of the 2016 Bonds, without differentiating between the principal amount of the New Money Portion of the 2016 Bonds and the net original issue premium constituting a portion of the New Money Portion of the 2016 Bonds so allocated to costs of the Original Authorized New Money Projects; and

WHEREAS, pursuant to Ordinance No. 2833, the City also reallocated \$3,596.00 from the total amount of the New Money Portion of the 2016 Bonds allocated to the Original Authorized New Money Project identified as “S-32 Hot Patch Trailer Improvements” to the Original Authorized New Money Project identified as “Replacement of 1998 Roller,” without differentiating between the principal amount of the New Money Portion of the 2016 Bonds and the net original issue premium constituting a portion of the New Money Portion of the 2016 Bonds so allocated to costs of the Original Authorized New Money Projects; and

WHEREAS, the City desires to allocate \$14,027.00 of investment earnings on the 2016 Bonds to a project not included in Ordinance No. 2394; and

WHEREAS, accordingly, the City desires to expand the list of the Original Authorized New Money Projects as set forth in Ordinance No. 2394, in order to allow certain investment earnings on the Authorized Bonds (meaning a portion of the 2016 Bonds) to be applied to the 2026 Additional

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Project and to identify such 2026 Additional Project as part of the “Projects” for all purposes of Ordinance No. 2394, as amended and supplemented.

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

(a) The Recitals to this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that are not defined therein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any 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 “investment earnings” shall be construed to include interest income.

(d) References in this Ordinance to “par amount” shall be construed to mean principal amount. In addition, references in this Ordinance to “principal amount” shall be construed to refer to the original aggregate principal amount of the 2021 Bonds issued for new money purposes.

(e) References in this Ordinance to the application or use of proceeds of the 2012 Bond to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to mean (i) for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2394 and Resolution No. 2645, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds (including investment earnings) to finance or reimburse costs of the 2026 Revised Projects, and (ii) to the extent applicable for purposes of the Code, expenditure or application of such proceeds as “transferred proceeds” of the 2016 Bonds.

Section 2. BE IT FURTHER ENACTED AND ORDAINED as follows:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2394, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2394, as amended and supplemented to date, is hereby deleted in its entirety and inserted in place thereof shall be the following:

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“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, land and right-of-way acquisition and development; site and utility improvements, including, without limitation, grading, landscaping, paving, sidewalk, curb, gutter, storm drain, water and sewer improvements, and related or similar activities and expenses; demolition, razing and removal; acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses, and related or similar activities and expenses; planning, design, engineering, architectural, feasibility, bidding, inspection, construction management, surveying, permitting, financial and legal expenses, and related or similar activities and expenses; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of any such project. The total Bond (or BANs, as identified in Section 6 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of any premium realized upon sale or investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Spine Rail Trail	\$149,500
2.	Community Centers (1)	517,615.89
3.	Riverside Circle	297,558.23
4.	Service Center Facility Plan Phase 1	102,000
5.	E-7 Inspector's Truck	27,732.88
6.	S-14 2001 F-150 Dump Truck	44,119
7.	S-32 Hot Patch Trailer Improvements	32,378
8.	Replacement of 1998 Roller	53,596
9.	Lemmon Hill Standpipe	100,000
10.	Fitzwater Street Lift Station – Phase II	2,690,000
11.	Belt Filter Press Rehabilitation	357,000
12.	Dump Truck	90,000
13.	Dump Truck WWTP	90,000
14.	Parking Garage Façade and Landscaping	200,000
15.	Aquatic Weed Harvester with Unloading Conveyor	0
16.	Zoo Facility Improvements	<u>0(2)</u>
	TOTAL	<u>\$4,751,500.00</u>

(1) The City previously also allocated a portion of the net original issue premium allocable to the Bonds and certain investment earnings on the Bonds to this project.

(2) The City intends to allocate certain investment earnings on the Bonds to this project.

The projects identified in items 1-16 above are collectively referred to herein as the “Projects”. The Projects described in items 1-16 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable costs (as defined above) relating to the Projects identified in items 1-16 above, notwithstanding the descriptive names used for such Projects in the table above, including, without limitation, changes in scopes of the Projects identified above effected through applicable budgetary procedures or applicable law.”

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(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2394 (as amended and supplemented to date) provided for in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified as item 16 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of the Original Authorized New Money Projects the costs of which may be financed or reimbursed from the principal of the New Money Portion of the 2016 Bonds and investment earnings thereon, without taking into account the fact that a portion of net original issue premium allocated to the sale proceeds of the New Money Portion of the 2016 Bonds is or was being applied to pay costs of the Original Authorized New Money Projects. By adding the 2026 Additional Project identified in item 16 in the table set forth in subsection (a) to the list of Projects set forth in Section 3(b) of Ordinance No. 2394 (as amended and supplemented to date), the City is also providing authorization for investment earnings on proceeds of the New Money Portion of the 2016 Bonds to be applied to the costs of the 2026 Additional Project once the provisions of subsection (d) below and Section 7 hereof have been complied with. The Council hereby appropriates and allocates \$14,027.00 of investment earnings on the New Money Portion of the 2016 Bonds to be applied to costs of the 2026 Additional Project identified in the table in subsection (a) above as “Zoo Facility Improvements.”

(c) The projects identified in the table set forth in subsection (a) above (which amends Section 3(b) of Ordinance No. 2394, as amended and supplemented to date) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2394 (as amended and supplemented to date) shall be deemed to be references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2394 (as amended and supplemented to date) with respect to the application of the principal amount of the Authorized Bonds as authorized by Ordinance No. 2394 (as amended and supplemented to date).

(d) Notwithstanding the foregoing provisions of this Section 2, the sale proceeds of the New Money Portion of the 2016 Bonds (including investment earnings thereon) may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2645, as amended and supplemented to date, to include the 2026 Additional Project in the list of the New Money Projects identified in Resolution No. 2645, thereby allowing \$14,027.00 of the investment earnings on the New Money Portion of the 2016 Bonds to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of the subsection (d) above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the New Money Portion of the proceeds of the 2016 Bonds (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2394 (as amended and supplemented to date), Resolution No. 2645 (as amended and supplemented to date) or applicable budgetary procedures or applicable law, and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings

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may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

(f) References in this Ordinance to applying principal or net original issue premium of the 2016 Bonds and any investment earnings on the proceeds of the 2016 Bonds to costs of the 2026 Additional Project shall be construed to refer solely to proceeds constituting the New Money Portion of the 2016 Bonds and not to any proceeds of the 2016 Bonds issued for current refunding purposes.

Section 3. **BE IT FURTHER ENACTED AND ORDAINED** that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, any of the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of the proceeds of the New Money Portion of the 2016 Bonds to finance or reimburse costs of the 2026 Revised Projects and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2016 Bonds.

Section 4. **BE IT FURTHER ENACTED AND ORDAINED** that from and after the effective date of this Ordinance, Ordinance No. 2394, as amended and supplemented to date, shall be deemed amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2394 shall remain in full force and effect.

Section 5. **BE IT FURTHER ENACTED AND ORDAINED** that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

Section 6. **BE IT FURTHER ENACTED AND ORDAINED** that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

Section 7. **BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that, notwithstanding the effective date of this Ordinance, no portion of the principal amount of the 2016 Bonds or investment earnings thereon may be applied to costs of the 2026 Additional Project unless Resolution No. 2645 (as amended and supplemented to date) is amended and supplemented as described herein. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A. English, City Clerk

April R. Jackson, City Council President

Approved by me, this _____ day of _____, 2026:

Randolph J. Taylor, Mayor

#245316;58111.001

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2017 Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3021](#)

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ORDINANCE NO. 3021

AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2463, PASSED BY THE COUNCIL ON NOVEMBER 13, 2017, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE “CITY”) ON NOVEMBER 15, 2017 AND EFFECTIVE ON NOVEMBER 15, 2017 (“ORDINANCE NO. 2463”), AS PREVIOUSLY AMENDED AND SUPPLEMENTED, IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY CERTAIN INVESTMENT EARNINGS ON THE \$5,724,853 CITY OF SALISBURY PUBLIC IMPROVEMENTS BOND OF 2017 ISSUED ON DECEMBER 13, 2017 (THE “2017 BOND”) TO A PROJECT IDENTIFIED HEREIN AS “ZOO FACILITY IMPROVEMENTS,” IN ADDITION TO THE PROJECTS ORIGINALLY IDENTIFIED IN ORDINANCE NO. 2463, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, (2) IDENTIFY SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF ORDINANCE NO. 2463, AS AMENDED AND SUPPLEMENTED; PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE, AND (3) REVERSE CERTAIN ALLOCATIONS PREVIOUSLY MADE BY ORDINANCE NO. 2649 IDENTIFIED HEREIN; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2017 BOND.

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RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the “City”), was authorized and empowered by Sections 31 to 37, inclusive, of Article 23A of the Annotated Code of Maryland (now codified as Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland), as replaced, supplemented or amended (the “Enabling Act”), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2463, passed by the Council of the City (the “Council”) on November 13, 2017, approved by the Mayor of the City (the “Mayor”) on November 15, 2017 and effective on November 15, 2017 (“Ordinance No. 2463”), the City authorized general obligation bonds to be issued from time to time in one or more series in an aggregate principal amount not to exceed Five Million Seven Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$5,724,853.00) (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” (as defined in Section

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3(b) of Ordinance No. 2463, and also defined as “Costs of the Projects”) of the projects identified in Section 3(b) of Ordinance No. 2463 as (1) “MDT Upgrades/Replacements,” (2) “Station 16 Rear Driveway Paving,” (3) “Radio System & Dispatch Equipment/Improvements,” (4) “Riverside Circle,” (5) “Service Center Facility – Phase 1,” (6) “Service Center Facility – Phase 2,” (7) “Urban Greenway – Phase 1 – Riverwalk Section,” (8) “Urban Greenway – Phase 2 – Carroll Street Section,” (9) “Bicycle Master Plan Paths Including 1st Half of Rail Trail,” (10) “Maintenance Dump Trucks,” (11) “Recycle Trucks,” (12) “Street Scaping: Division, Circle, and Camden,” (13) Parking Garage Roof Waterproof Membrane,” (14) “New Parking Meters for Downtown,” and (15) “Parking Garage Upgraded Security Cameras” (herein collectively referred to as the “Original Authorized Projects” and referred to as the “Projects” in Ordinance No. 2463) in the maximum principal amounts set forth opposite each such Original Authorized Project in such Section 3(b); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2463 and Resolution No. 2794, adopted by the Council on November 27, 2017, approved by the Mayor on November 28, 2017 and effective on November 28, 2017 (“Resolution No. 2794”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” and “Costs of the Projects” (as defined in Section 2(b) of Resolution No. 2794, which definitions mirror the definitions of “costs” and “Costs of the Projects” set forth in Section 3(b) of Ordinance No. 2463) of the projects specified in Section 2(a) of Resolution No. 2794 (which included all of the Original Authorized Projects), and to evidence this borrowing by the issuance and sale of a single series of the Authorized Bonds in the form of a single general obligation installment bond in the maximum principal amount of Five Million Seven Hundred Twenty-Four Thousand Eight Hundred Fifty-Three Dollars (\$5,724,853.00); and

WHEREAS, pursuant to Resolution No. 2794, such Authorized Bond was issued in the original principal amount of \$5,724,853.00 and was designated as the “City of Salisbury Public Improvements Bond of 2017” (the “2017 Bond”); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2463 and Resolution No. 2794, the City issued and delivered the 2017 Bond to Branch Banking and Trust Company on December 13, 2017; and

WHEREAS, Section 2 of Resolution No. 2794 provides that proceeds of the 2017 Bond (which is referred to as the “Bond” in Resolution No. 2794) shall be appropriated and allocated to the specified Original Authorized Projects identified therein, subject to the further provisions of such Section 2 (which Original Authorized Projects are referred to as the “Projects” in Resolution No. 2794) as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	40,000
3.	Radio System & Dispatch Equipment/Improvements	898,253
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	761,500
10.	Maintenance Dump Trucks	160,000
11.	Recycle Trucks	150,000
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	<u>55,000</u>
	TOTAL	<u>\$5,724,853</u>

; and

WHEREAS, pursuant to Ordinance No. 2487, passed by the Council on June 4, 2018, approved on behalf of the Mayor on June 13, 2018 and effective on June 13, 2018 (“Ordinance No. 2487”), the City reallocated the following principal amounts of the Authorized Bonds to the Original Authorized Project identified as “Station 16 Rear Driveway Paving:” (i) \$28,764.00 from the Original Authorized Project identified as “Recycle Trucks,” (ii) \$5,500.00 from the Original Authorized Project identified as “Maintenance Dump Trucks,” and (iii) \$2,966.00 from the Original Authorized Project identified as Bicycle Master Plan Paths Including 1st Half of Rail Trail,” resulting in a reallocation of the maximum principal amount of the Authorized Bonds as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	77,230
3.	Radio System & Dispatch Equipment/Improvements	898,253
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	758,534
10.	Maintenance Dump Trucks	154,500
11.	Recycle Trucks	121,236
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	<u>55,000</u>
	TOTAL	<u>\$5,724,853</u>

; and

WHEREAS, pursuant to (i) Ordinance No. 2649, passed by the Council on January 25, 2021, approved by the Mayor on January 27, 2021 and effective on January 27, 2021 (“Ordinance No. 2649”), the City amended and supplemented Ordinance No. 2463, as amended and supplemented by Ordinance No. 2487, and (ii) Resolution No. 3087, adopted by the Council on January 25, 2021, approved by the Mayor on January 27, 2021 and effective on January 27, 2021 (“Resolution No. 3087”), the City amended and supplemented Resolution No. 2794, in order to (1) reallocate \$55,400.00 of the principal amount of the Authorized Bonds originally allocated to the Original Authorized Project identified as “Radio System & Dispatch Equipment/Improvements” to a new project identified as “GOB Roof and Air Handler Replacement,” and (2) allocate \$140,000.00 of unspent investment earnings on the Authorized Bonds to a new project identified as “2 One Ton Dump Trucks (Sanitation & Parks)” (together with the project identified as “GOB Roof and Air Handler Replacement,” the “2021 Additional Projects”), resulting in an allocation/reallocation of the maximum principal amount of the Authorized Bonds as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	77,230
3.	Radio System & Dispatch Equipment/Improvements	842,853
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	758,534
10.	Maintenance Dump Trucks	154,500
11.	Recycle Trucks	121,236
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	55,000
16.	GOB Roof and Air Handler Replacement	55,400(1)
17.	2 One Ton Dump Trucks (Sanitation & Parks)	_____0(2)
	TOTAL	<u>\$5,724,853</u>

118

119 (1) In addition to the principal amount of the Authorized Bonds allocated to the indicated 2021
120 Additional Project, as provided in Ordinance No. 2649, the City allocated \$6,100.00 of investment
121 earnings on the Authorized Bonds to Costs of the Projects (as redefined in Ordinance No. 2649 and
122 Resolution No. 3087) of this 2021 Additional Project.

123

124 (2) As provided in Ordinance No. 2649, the City allocated \$140,000.00 of investment earnings on
125 the Authorized Bonds to pay Costs of the Projects of this 2021 Additional Project; and
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128 **WHEREAS**, pursuant to Ordinance No. 2653, passed by the Council on February 8, 2021,
129 approved on behalf of the Mayor on February 10, 2021 and effective on February 10, 2021 (“Ordinance
130 No. 2653”), the City reallocated the following investment earnings on the Authorized Bonds to the
131 Original Authorized Project identified as “Radio System & Dispatch Equipment/Improvements:” (i)
132 \$10,674.12 from investment earnings allocated to the 2021 Additional Project identified as “2 One
133 Ton Dump Trucks (Sanitation & Parks)” pursuant to Ordinance No. 2649, and (ii) \$28,102.88 from
134 other investment earnings on the Authorized Bonds; and

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135 **WHEREAS**, pursuant to Ordinance No. 2767, passed by the Council on December 12, 2022,
136 approved by the Mayor on January 12, 2023 and effective on January 12, 2023 (“Ordinance No.
137 2767”), the City reversed the reallocations/allocations made pursuant to Ordinance No. 2653; and
138

139 **WHEREAS**, the City wishes to allocate \$83,071.00 of investment earnings on the 2017 Bond
140 to a project not included in Ordinance No. 2463, Ordinance No. 2649, Ordinance No. 2653 or
141 Ordinance No. 2767 that is generally referred to as “Zoo Facility Improvements” or by similar names
142 (the “2026 Additional Project”); and
143

144 **WHEREAS**, accordingly, the City desires to expand the list of the Original Authorized
145 Projects and the 2021 Additional Projects provided for in Ordinance No. 2463 and Ordinance No.
146 2649, in order to allow certain investment earnings on the Authorized Bonds (meaning the 2017
147 Bond) to be applied to the 2026 Additional Project and to identify such 2026 Additional Project as
148 part of the “Projects” for all purposes of Ordinance No. 2463, as amended and supplemented to date;
149 and
150

151 **WHEREAS**, in addition, the City has not applied (i) the \$55,400.00 principal amount of the
152 2017 Bond reallocated from the Original Authorized Project identified as “Radio System & Dispatch
153 Equipment/Improvements” to the 2021 Additional Project identified as “GOB Roof and Air Handler
154 Replacement” provided for in Ordinance No. 2649, or (ii) the \$6,100.00 of investment earnings on
155 the 2017 Bond allocated to such 2021 Additional Project by Ordinance No. 2649, and wishes to
156 reallocate such \$55,400.00 principal amount back to the Original Authorized Project identified as
157 “Radio System & Dispatch Equipment/Improvements” and such \$6,100.00 amount back to
158 investment earnings on the 2017 Bond.
159

160 **SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE**
161 **CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND** that:
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163 (a) The Recitals to this Ordinance are incorporated by reference herein and deemed a
164 substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that
165 are not defined therein shall have the meanings given to such terms in the Recitals.

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

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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 the “principal amount” of any obligations shall be construed to mean the par amount of such obligations.

(d) References in this Ordinance to “investment earnings” shall be construed to include interest income.

(e) References in this Ordinance to the application or use of proceeds of the 2017 Bond to fund costs of the 2026 Revised Projects (as defined in Section 2(c) hereof) shall be construed to mean for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2463 and Resolution No. 2794, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds (including investment earnings) to finance or reimburse costs of the 2026 Revised Projects.

SECTION 2. BE IT FURTHER ENACTED AND ORDAINED that:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2463, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2463, as amended and supplemented to date, is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, land and right-of-way acquisition and development; acquisition of other property rights; site and utility improvements, including, without limitation, grading, landscaping, paving, sidewalk, curb, gutter, storm drain, water and sewer improvements, and related or similar activities and expenses; demolition, razing and removal; acquisition, construction, expansion, reconstruction, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses, and related or similar activities and expenses; planning, design, engineering, architectural, feasibility, surveying, bidding, permitting, inspection, construction management, financial, administrative and legal expenses, and related or similar activities and expenses; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of any such project (collectively, “Costs of the Projects”). The total Bond (or BANs, as identified in Section 6 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of any investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	77,230
3.	Radio System & Dispatch Equipment/Improvements	898,253
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	758,534
10.	Maintenance Dump Trucks	154,500
11.	Recycle Trucks	121,236
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	55,000
16.	2 One Ton Dump Trucks (Sanitation & Parks)	<u>0(1)</u>
17.	Zoo Facility Improvements	<u>0(2)</u>
	TOTAL	<u>\$5,724,853</u>

(1) The City intends to allocate certain investment earnings on the Bonds to this project.

(2) The City intends to allocate certain investment earnings on the Bonds to this project.

The projects identified in items 1-17 above are collectively referred to herein as the “Projects”. The Projects described in items 1-17 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable Costs of the Projects, notwithstanding the descriptive names used for such Projects in the table above, including, without limitation, changes in scopes of the

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Projects identified above effected through applicable budgetary procedures or applicable law.”

(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2463 (as amended and supplemented to date) provided for in subsection (a) of this Section 2, the City is in effect (i) adding the 2026 Additional Project identified as item 17 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of projects the costs of which may be financed or reimbursed from principal of or investment earnings on the 2017 Bond, once the provisions of subsection (d) below and Section 7 below have been complied with, and (ii) removing the 2021 Additional Project identified as “GOB Roof and Air Handler Replacement” from such list of projects. The Council hereby (i) appropriates and allocates \$83,071.00 of investment earnings on the 2017 Bond not previously allocated to the 2026 Additional Project identified in subsection (a) of this Section 2 as item 17 “Zoo Facility Improvements,” (ii) appropriates and reallocates the \$15,000.00 of investment earnings on the 2017 Bond previously allocated to the 2021 Additional Project identified in Ordinance No. 2649 as “GOB Roof and Air Handler Replacement” back to the Original Authorized Project identified as item 3 “Radio System & Dispatch Equipment/Improvements,” and (iii) appropriates and reallocates the \$6,100.00 of investment earnings on the 2017 Bond previously allocated to the 2021 Additional Project identified in Ordinance No. 2649 as “GOB Roof and Air Handler Replacement” back to unallocated investment earnings on the 2017 Bond.

(c) The projects identified in the table set forth in subsection (a) above (which amends Section 3(b) of Ordinance No. 2463, as amended and supplemented to date) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2463, as amended and supplemented to date, shall be deemed to be references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2463, as amended and supplemented, including by this Ordinance, with respect to the application of the principal amount of the Authorized Bonds (which is the 2017 Bond because the maximum principal amount of the “Bonds” authorized by Ordinance No. 2463 was issued as the 2017 Bond).

(d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of the 2017 Bond and investment earnings thereon may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2794, as amended and supplemented to date, to include the 2026 Additional Project in the list of Projects identified in Resolution No. 2794, as amended and supplemented to date, thereby allowing \$83,071.00 of the investment earnings on the 2017 Bond to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of subsection (d) above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the principal amount of the 2017 Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance

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with the provisions of the Ordinance No. 2463 (as amended and supplemented to date), Resolution No. 2794 (as amended and supplemented to date) or applicable budgetary procedures or applicable law and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

SECTION 3. **BE IT FURTHER ENACTED AND ORDAINED** that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of investment earnings on the 2017 Bond to finance or reimburse costs of the 2026 Additional Project and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2017 Bond or the 2016 Bonds.

SECTION 4. **BE IT FURTHER ENACTED AND ORDAINED** that from and after the effective date of this Ordinance, Ordinance No. 2463, as amended and supplemented to date, shall be deemed further amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2463, as amended and supplemented to date, shall remain in full force and effect.

SECTION 5. **BE IT FURTHER ENACTED AND ORDAINED** that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

SECTION 6. **BE IT FURTHER ENACTED AND ORDAINED** that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. **BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2794, the City may not apply any proceeds of the 2017 Bond (including investment earnings) to costs of the 2026 Additional Project, notwithstanding the effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A. English, City Clerk

April R. Jackson, City Council President

APPROVED BY ME THIS _____ **DAY OF** _____, 2026:

Randolph J. Taylor, Mayor

#245324;58111.001

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2019 Bond to Zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3022](#)

1
2
3 **ORDINANCE NO. 3022**

4 **AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF**
5 **SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2554,**
6 **PASSED BY THE COUNCIL ON AUGUST 26, 2019, APPROVED BY THE**
7 **MAYOR OF CITY OF SALISBURY (THE “CITY”) ON AUGUST 27, 2019**
8 **AND EFFECTIVE ON AUGUST 27, 2019 (“ORDINANCE NO. 2554”), AS**
9 **AMENDED AND SUPPLEMENTED TO DATE, IN ORDER TO (1)**
10 **AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY A**
11 **PORTION OF THE PRINCIPAL AMOUNT OF AND CERTAIN**
12 **INVESTMENT EARNINGS ON THE \$11,225,000 CITY OF SALISBURY**
13 **PUBLIC IMPROVEMENT BONDS OF 2019 ISSUED ON OCTOBER 8, 2019**
14 **(THE “2019 BONDS”) TO THE PROJECT IDENTIFIED HEREIN AS “ZOO**
15 **FACILITY IMPROVEMENTS,” AND (2) IDENTIFY SUCH ADDITIONAL**
16 **PROJECT AS A “PROJECT” FOR ALL PURPOSES OF ORDINANCE NO.**
17 **2554 (AS AMENDED AND SUPPLEMENTED); PROVIDING THAT THIS**
18 **TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS**
19 **ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE**
20 **CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS**
21 **CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE**
22 **PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY**
23 **CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE**
24 **OF PROCEEDS OF THE 2019 BONDS.**

25 **RECITALS**

26 **WHEREAS**, City of Salisbury, a municipal corporation of the State of Maryland (the “City”),
27 is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government
28 Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Enabling
29 Act”), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced,
30 supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to
31 evidence such borrowing by the issuance and sale of its general obligation bonds; and
32

33 **WHEREAS**, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
34 the Charter, and Ordinance No. 2554, passed by the Council of the City (the “Council”) on August
35 26, 2019, approved by the Mayor of the City (the “Mayor”) on August 27, 2019 and effective on
36 August 27, 2019 (“Ordinance No. 2554”), the City authorized general obligation bonds to be issued
37 from time to time in one or more series in an original aggregate principal amount not to exceed Twelve
38 Million Four Hundred Eighty-Two Thousand Nine Hundred Seventy-Seven Dollars (\$12,482,977)
39 (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” and “Costs of the
40 Projects” (each as defined in Section 3(b) of Ordinance No. 2554) of the projects identified in the
41 table below (herein collectively referred to as the “Original Authorized Projects” or individually as
42 an “Original Authorized Project,” and referred to as the “Projects” in Ordinance No. 2554) in the
43 maximum principal amounts set forth opposite each such Original Authorized Project in such Section

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3(b) as follows:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 50,000
2.	Water Chiller & Heating and Air Conditioning ¹	300,000
3.	Main Street Master Plan ¹	6,740,000
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	200,000
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	300,000
15.	Urban Greenway Improvements ²	200,000
16.	Street Scaping ²	200,000
17.	Building Lighting and Controls (ECM 1) ³	711,426
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	183,237
20.	Building Envelope Improvement (ECM 4) ³	105,911
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	<u>30,000</u>
TOTAL		<u>\$12,482,977</u>

¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539).

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2554 and Resolution No. 2972, adopted by the Council on September 9, 2019, approved by the Mayor on September 9, 2019 and effective on September 9, 2019 (“Resolution No. 2972”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” and “Costs of the Projects” (each as defined in Section 2(b) of Resolution No.

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2972, which definitions mirror the definitions of “costs” and “Costs of the Projects” set forth in Section 3(b) of Ordinance No. 2554) of the projects specified in Section 2(a) of Resolution No. 2972 (which included all of the Original Authorized Projects), and evidenced this borrowing by the issuance on October 8, 2019 of a single series of the Authorized Bonds in the original aggregate principal amount of Eleven Million Two Hundred Twenty-Five Thousand Dollars (\$11,225,000) and designated as the “City of Salisbury Public Improvement Bonds of 2019” (the “2019 Bonds”); and

WHEREAS, due to net original issue premium received by the City in connection with the sale of the 2019 Bonds, the City was able to reduce the original aggregate principal amount of the 2019 Bonds actually issued from the maximum original aggregate principal amount of the Authorized Bonds provided for in Ordinance No. 2554, and thereby to allocate a portion of such net original issue premium, together with the par amount of the 2019 Bonds, to fund the Original Authorized Projects in the maximum aggregate principal amount of \$12,482,977 contemplated by Ordinance No. 2554; and

WHEREAS, a portion of the principal amount of the 2019 Bonds, together with a portion of net original issue premium, was originally appropriated and allocated to the Original Authorized Projects identified in the table in the third preceding WHEREAS clause above, in the amounts specified in such table (for a total of \$12,482,977); and

WHEREAS, pursuant to Ordinance No. 2571, passed by the Council on January 13, 2020, approved by the Mayor on January 21, 2020 and effective on January 21, 2020 (“Ordinance No. 2571”), the City reallocated \$1,431.00 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Phone System Fire Department” to the Original Authorized Project identified as “Roof Replacement Fire Station 1”; and

WHEREAS, pursuant to Ordinance No. 2593, passed by the Council on June 8, 2020, approved on behalf of the Mayor on June 10, 2020 and effective on June 10, 2020 (“Ordinance No. 2593”), the City contemplated the reallocation of \$750,000.00 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Street Scaping,” and provided for such reallocation by subsequent appropriate action; and

WHEREAS, pursuant to Ordinance No. 2593, the City also contemplated the reallocation of \$250,000.00 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to a project not included in Ordinance No. 2554 that is identified in Ordinance No. 2593 as “Rail Trail Master Plan Implementation;” but prior to calendar year 2022, no proceeds of the 2019 Bonds were spent on such additional project; and

WHEREAS, pursuant to (i) Ordinance No. 2596, passed by the Council on June 8, 2020, approved on behalf of the Mayor on June 10, 2020 and effective on June 10, 2020, the Council allocated \$40,000.00 of interest earnings on proceeds of the 2019 Bonds to the Original Authorized

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Project identified as “Zoo Admin Office Space,” and (ii) Ordinance No. 2682, passed by the Council on September 27, 2021 and approved by the Mayor on October 6, 2021, the Council allocated \$64,000.00 of interest earnings on proceeds of the 2019 Bonds to the Original Authorized Project identified as “Zoo Admin Office Space;” and

WHEREAS, pursuant to Ordinance No. 2660, passed by the Council on June 14, 2021, approved by the Mayor on June 22, 2021 and effective on June 22, 2021 (“Ordinance No. 2660”), the City contemplated the reallocation of an aggregate of \$1,143,674.00 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the following Original Authorized Projects in the following amounts: (i) \$475,000.00 to the Original Authorized Project identified as “Bicycle Master Plan Improvements,” (ii) \$450,000.00 to the Original Authorized Project identified as “Urban Greenway Improvements,” and (iii) \$218,674.00 to the Original Authorized Project identified as “Street Scaping,” and provided for such reallocation by subsequent appropriate action; and

WHEREAS, pursuant to Ordinance No. 2660, the City also contemplated the reallocation of an aggregate of \$700,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to two projects not included in Ordinance No. 2554 that are identified in Ordinance No. 2660 as (i) “Rail Trail Master Plan Implementation,” in the amount of \$300,000.00, and (ii) “City Park Master Plan Improvements,” in the amount of \$400,000.00; prior to calendar year 2022, no proceeds of the 2019 Bonds were spent on either such additional project; and

WHEREAS, pursuant to (i) Ordinance No. 2708, passed by the Council on January 24, 2022, approved by the Mayor on January 25, 2022 and effective on January 25, 2022 (“Ordinance No. 2708”) and (ii) Resolution No. 3149, passed by the Council on February 14, 2022, approved by the Mayor on February 15, 2022 and effective on February 15, 2022 (“Resolution No. 3149”), the Council respectively amended and supplemented Ordinance No. 2554 and Resolution No. 3972, in order to allow a portion of the principal amount of the 2019 Bonds as well as (by subsequent action) net original issue premium on the 2019 Bonds and investment earnings on the 2019 Bonds to be applied to costs of two projects respectively identified as “Rail Trail Master Plan Implementation” and “City Park Master Plan Improvements” (collectively, the “2022 Additional Projects” and, individually, a “2022 Additional Project”); and

WHEREAS, Ordinance No. 2708 amended Section 3(b) of Ordinance No. 2554 to provide that a maximum of \$550,000.00 of the principal amount of the 2019 Bonds was reallocated to the 2022 Additional Project identified as “Rail Trail Master Plan Implementation” and a maximum of \$400,000.00 of the principal amount of the 2019 Bonds was reallocated to the 2022 Additional Project identified as “City Park Master Plan Improvements;” and

WHEREAS, pursuant to Ordinance No. 2740, passed by the Council on September 26, 2022, approved by the Mayor on September 30, 2022 and effective on September 30, 2022, the City reallocated (i) \$135,000.00 of the principal amount of the 2019 Bonds originally allocated to the

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Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Street Scaping” and (ii) \$398,859.64 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Urban Greenway Improvements” to the Original Authorized Project identified as “Street Scaping;” and

WHEREAS, pursuant to Ordinance No. 2855, passed by the Council on February 26, 2024, approved by the Mayor on March 25, 2024 and effective on March 25, 2024, the City reallocated \$149,000.00 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Bicycle Master Plan Improvements;” and

WHEREAS, following the reallocations described above, the principal amount of the 2019 Bonds was reallocated and authorized to be applied to the Original Authorized Projects and the 2022 Additional Projects as follows:

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	<u>Project Name</u>	<u>Maximum Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 51,431
2.	Water Chiller & Heating and Air Conditioning ¹	300,000
3.	Main Street Master Plan ¹	3,612,326
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	200,000
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	924,000
15.	Urban Greenway Improvements ²	251,140.36
16.	Street Scaping ²	1,702,533.64
17.	Building Lighting and Controls (ECM 1) ³	711,426
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	183,237
20.	Building Envelope Improvement (ECM 4) ³	105,911
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	28,569
24.	Rail Trail Master Plan Implementation ⁴	550,000
25.	City Park Master Plan Improvements ⁵	400,000
TOTAL		<u>\$12,482,977</u>

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¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539).

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521.

⁴ Project was approved for funding from reallocation of par amount of the Bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2593).

⁵ Project was approved for funding from reallocation of par amount of the Bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2660); and

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WHEREAS, pursuant to (i) Ordinance No. 2978, passed by the Council on March 2, 2026, approved by the Mayor on March 2, 2026 and effective on March 2, 2026 (“Ordinance No. 2978”), the City amended and supplemented Ordinance No. 2554, as previously amended and supplemented and (ii) Resolution No. 3641, adopted by the Council on March 2, 2026, approved by the Mayor on March 2, 2026 and effective on March 2, 2026 (“Resolution No. 3641”), the City amended and supplemented Resolution No. 2972, as previously amended and supplemented, in order to reallocate a total of \$482,718.00 of the principal amount of the 2019 Bonds to the 2026 Additional Project as follows: (i) \$21.00 from the Original Authorized Project identified as “Field Operations Facility Plan – Phase 2” (which Original Authorized Project is now referred to by the City sometimes as the “Service Center” or by similar names), (ii) \$18,864.00 from the Original Authorized Project identified as “Water Chiller & Heating and Air Conditioning,” (iii) \$328,325.00 from the Original Authorized Project identified as “Building Lighting and Controls (ECM 1),” (iv) \$29,597.00 from the Original Authorized Project identified as “Building Management System (ECM 3),” and (v) \$105,911.00 from the Original Authorized Project identified as “Building Envelope Improvements (ECM 4),” resulting in the following reallocations:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 51,431
2.	Water Chiller & Heating and Air Conditioning ¹	281,136
3.	Main Street Master Plan ¹	3,612,326
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	199,979
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	924,000
15.	Urban Greenway Improvements ²	251,140.36
16.	Street Scaping ²	1,702,533.64
17.	Building Lighting and Controls (ECM 1) ³	383,101
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	153,640
20.	Building Envelope Improvement (ECM 4) ³	0
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	28,569
24.	Rail Trail Master Plan Implementation ⁴	550,000
25.	City Park Master Plan Improvements ⁵	\$400,000
26.	112 W. Church Street – City Hall ⁶	\$482,718
TOTAL		<u>\$12,482,977</u>

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194 ¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No.
 195 2482).

196 ² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No.
 197 2539). This project is now also sometimes referred to as the “Service Center” or by similar names.

198 ³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down
 199 by project components on Schedule B to Ordinance No. 2521.

200 ⁴ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year
 201 2021 budget ordinance (Ordinance No. 2593).

202 ⁵ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year

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203 2021 budget ordinance (Ordinance No. 2660).

204 ⁶ This project may be referred to by other names in City materials, including budget materials; and

205
206 **WHEREAS**, the City now desires to (i) allocate \$118,746.00 of investment earnings on the
207 2019 Bonds to a project not included in Ordinance No. 2554, as amended and supplemented to date,
208 that is generally identified in City materials as “Zoo Facility Improvements” or by similar names (the
209 “2026 Additional Project”), (ii) reallocate \$192,848.00 of the principal amount of the 2019 Bonds
210 previously allocated to the Original Authorized Project identified as “Building Lighting and Controls
211 (ECM 1)” to the 2026 Additional Project, and (iii) allocate \$8,959.00 of unallocated proceeds of the
212 2019 Bonds to the 2026 Additional Project; and

213
214 **WHEREAS**, accordingly, the City desires to expand the list of the Original Authorized
215 Projects as set forth in Ordinance No. 2554, as amended and supplemented to date, in order to allow
216 a portion of the sale proceeds of and certain investment earnings on the Authorized Bonds (meaning
217 the 2019 Bonds) to be applied to the 2026 Additional Project and to identify such 2026 Additional
218 Project as part of the “Projects” for all purposes of Ordinance No. 2554, as amended and
219 supplemented.

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

223
224 (a) The Recitals to this Ordinance are incorporated by reference herein and deemed a
225 substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that
226 are not defined therein shall have the meanings given to such terms in the Recitals.

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

239 (c) References in this Ordinance to “investment earnings” shall be construed to include
240 interest income.

241 (d) References in this Ordinance to “principal amount” shall be construed to refer to the
242 original aggregate principal amount of the 2019 Bonds.

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Section 2. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2554, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2554 (as amended and supplemented to date) is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, costs of the following activities and expenses: land and right-of-way acquisition and development; acquisition of other property rights; site and utility improvements, including, without limitation, grading, landscaping, paving, sidewalk, curb, gutter, storm water, water and sewer improvements, and related or similar activities and expenses; demolition, razing and removal; acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation, improvement, installation, furnishing and equipping activities and expenses, and related or similar activities and expenses; planning, design, engineering, architectural, feasibility, surveying, document development, bidding, permitting, inspection, construction management, financial, administrative and legal expenses, and related or similar activities and expenses; contingencies; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of any such project (collectively, “Costs of the Projects”). The maximum original aggregate principal amount of the Bonds (or the BANs, as identified in Section 6 hereof) to be appropriated or applied to the Costs of the Projects (exclusive of any premium realized upon sale or investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 51,431
2.	Water Chiller & Heating and Air Conditioning ¹	281,136
3.	Main Street Master Plan ¹	3,612,326
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	199,979
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	924,000
15.	Urban Greenway Improvements ²	251,140.36
16.	Street Scaping ²	1,702,533.64
17.	Building Lighting and Controls (ECM 1) ³	190,253
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	153,640
20.	Building Envelope Improvement (ECM 4) ³	0
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	28,569
24.	Rail Trail Master Plan Implementation ⁴	550,000
25.	City Park Master Plan Improvements ⁵	400,000
26.	112 W. Church Street – City Hall ⁶	482,718
27.	Zoo Facility Improvements ⁷	192,848
TOTAL		<u>\$12,482,977</u>

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¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539). This project is now also sometimes referred to as the “Service Center” or by similar names.

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521.

⁴ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2593).

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⁵ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2660).

⁶ This project may be referred to by other names in City materials, including budget materials.

⁷ This project may be referred to by other names in City materials, including budget materials.

The projects identified in items 1-27 above are collectively referred to herein as the “Projects”. The Projects described in items 1-27 above are identified by approximately the same names as such Projects are identified in City budget or other materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) (exclusive of any premium realized upon sale or investment earnings that may be applied for such purposes) to be spent on Costs of the Projects among any of the Projects (including, without limitation, the components of the Projects approved by Ordinance No. 2521) in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable Costs of the Projects, notwithstanding the descriptive names used for the Projects in the table above, including, without limitation, costs related to changes in the scopes of and/or names of the Projects effected through applicable budgetary procedures or applicable law.”

(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2554, as amended supplemented to date, provided for in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified as item 27 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of projects the costs of which may be financed or reimbursed from the principal amount of the 2019 Bonds and investment earnings thereon, without taking into account the fact that a portion of net original issue premium allocated to the sale proceeds of the 2019 Bonds is or was being applied to pay costs of the Original Authorized Projects, as amended and supplemented to date. By adding the 2026 Additional Project identified in item 27 in the table set forth in subsection (a) to the list of Projects set forth in Section 3(b) of Ordinance No. 2554, the City is also providing authorization for net original issue premium of the 2019 Bonds and investment earnings on proceeds of the 2019 Bonds to be applied to the costs of the 2026 Additional Project once the provisions of subsection (d) below and Section 7 hereof have been complied with. The principal amounts of the 2019 Bonds are hereby appropriated/re-appropriated in the maximum principal amounts set forth in the table in Section 2(a) above.

(c) The projects identified in the table set forth in subsection (a) above (which amends and supplements Section 3(b) of Ordinance No. 2554, as amended and supplemented to date) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all

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references to the Projects in Ordinance No. 2554, as amended and supplemented to date, shall be deemed to be references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2554, as amended and supplemented to date, with respect to the application of the principal amount of the Authorized Bonds as authorized by Ordinance No. 2554.

(d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of the 2019 Bonds (including investment earnings thereon) may not be applied to costs of the 2026 Additional Project unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2972 (as amended and supplemented to date) to include the 2026 Additional Project in the list of Projects identified in Resolution No. 2972, thereby allowing a portion of the principal amount of the 2019 Bonds to be applied to costs of the 2026 Additional Project.

(e) Subject to the provisions of the subsections above and Section 7 of this Ordinance, it is the intention of the Council that any investment earnings earned on the proceeds of the 2019 Bonds (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2554 (as amended and supplemented to date), Resolution No. 2972 (as amended and supplemented to date) or applicable budgetary procedures or applicable law, and (ii) on and after the effective date of this Ordinance, shall be applied to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

Section 3. **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** that, subject to the provisions of Sections 2(d) and 7 of this Ordinance, any of the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of the proceeds of the 2019 Bonds to finance or reimburse costs of the 2026 Revised Projects and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2019 Bonds.

Section 4. **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** that from and after the effective date of this Ordinance, Ordinance No. 2554 (as amended and supplemented to date) shall be deemed amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2554 (as amended and supplemented to date) shall remain in full force and effect.

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Section 5. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

Section 6. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

Section 7. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that, notwithstanding the effective date of this Ordinance, no portion of the principal amount of the 2019 Bonds or investment earnings thereon may be applied to costs of the 2026 Additional Project unless Resolution No. 2972 (as amended and supplemented to date) is amended and supplemented as described herein. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A. English, City Clerk

April R. Jackson, City Council President

Approved by me, this _____ day of _____, 2026:

Randolph J. Taylor, Mayor

#245330;58111.001

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Memo

To: Mayor and City Council
From: Nick Rice, City Administrator
Date: August 12, 2026
Subject: Reallocating 2021 Bonds to zoo Facility Improvements - 1st Reading

The City has identified approximately \$500,000 of available funding associated with prior bond issuances that may be utilized for the Zoo Facility Improvements project. These funds consist of remaining bond proceeds, accumulated investment earnings, and other available bond-related funds from completed or substantially completed projects.

The proposed ordinances amend eight prior bond ordinances to authorize the reallocation and use of these available funds for the Zoo Facility Improvements project, an eligible capital improvement project.

These amendments do not authorize any additional borrowing or increase the outstanding debt of the City. Rather, the ordinances provide authorization to utilize existing available bond-related funds that remain from prior issuances and apply those funds toward the Zoo Facility Improvements project.

The funding proposed to be allocated to Zoo Facility Improvements is derived from the following prior bond issues and original project allocations:

Bond Issue	Original Project(s) Providing Available Funds	Amount Allocated to Zoo Facility Improvements
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2012 Bond	Investment Earnings	\$14,748.00
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2013 Bond	Investment Earnings	\$8,724.00
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2014A Bond	Investment Earnings	\$9,661.00
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2015 Bond	Investment Earnings; GOB Roof and Air Handler Replacement	\$3,036.00; \$15,000.00
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2016 Bond	Investment Earnings	\$14,027.00
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2017 Bond	Investment Earnings	\$83,071.00
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2019 Bond	Investment Earnings; Building Lighting and Controls; Unallocated Proceeds	\$118,746.00; \$192,848.00; \$8,959.00
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2021 Bond	Investment Earnings; Unallocated Issuance Costs; Aerial Ladder; GOB Air Handler Replacement	\$4,854.00; \$2,696.00; \$2,380.00; \$21,250.00
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Total		\$500,000.00
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Each ordinance amends the applicable prior bond ordinance to add Zoo Facility Improvements as an authorized project and identifies the amount of available bond-related funds that may be allocated to the project. The corresponding bond resolutions will also be amended, as necessary, to implement the reallocations.

Finance will coordinate with bond counsel and the City's arbitrage advisor to ensure the

reallocations are properly documented and remain compliant with applicable bond covenants, arbitrage requirements, and Internal Revenue Code provisions.

Fiscal Impact:

The proposed action provides approximately \$500,000 in available funding for Zoo Facility Improvements through the reallocation of existing bond proceeds, investment earnings, and other available bond-related funds from prior bond issuances. No additional debt issuance or new tax-supported funding is required.

Recommendation:

Approval of the proposed bond ordinance amendments and related resolutions authorizing the allocation of available bond-related funds for Zoo Facility Improvements.

Attachment(s):

[Ord3023](#)

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ORDINANCE NO. 3023

AN ORDINANCE OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2675, PASSED BY THE COUNCIL ON JULY 26, 2021, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE “CITY”) ON JULY 26, 2021 AND EFFECTIVE ON JULY 26, 2021 (“ORDINANCE NO. 2675”), AS AMENDED AND SUPPLEMENTED TO DATE, IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY A PORTION OF THE PRINCIPAL AMOUNT OF AND CERTAIN OTHER AMOUNTS RELATING TO THE \$8,965,000 CITY OF SALISBURY TAX-EXEMPT PUBLIC IMPROVEMENT AND REFUNDING BONDS OF 2021 ISSUED ON SEPTEMBER 1, 2021 (THE “2021 TAX-EXEMPT BONDS”) TO THE PROJECT IDENTIFIED HEREIN AS “ZOO FACILITY IMPROVEMENTS,” AND (2) IDENTIFY SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF ORDINANCE NO. 2675 (AS AMENDED AND SUPPLEMENTED); PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2021 TAX-EXEMPT BONDS.

RECITALS

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WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the “City”), is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Enabling Act”), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

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WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2675, passed by the Council of the City (the “Council”) on July 26, 2021, approved by the Mayor of the City (the “Mayor”) on July 26, 2021 and effective on July 26, 2021 (“Ordinance No. 2675”), the City authorized general obligation bonds to be issued from time to time in one or more series in an original aggregate principal amount not to exceed Six Million One Hundred Twenty-Four Thousand Seventy-Six Dollars (\$6,124,076) (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” and “Costs of the Projects” (each as defined in Section 3(b) of Ordinance No. 2675) of the projects identified in the table below (herein collectively referred to as the “Original Authorized New Money Projects” or individually as an “Original Authorized New Money Project,” and referred to as the “Projects” in Ordinance No. 2675) in the maximum principal

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amounts set forth opposite each such Original Authorized New Money Project in such Section 3(b):

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	GOB Air Handler Replacement ⁽¹⁾	\$ 178,750
2.	Apparatus Replacement - Aerial Ladder ⁽¹⁾	1,400,000
3.	Field Operations Facility Plan – Phase 3 Garage ⁽¹⁾⁽²⁾	1,890,000
4.	Downtown Street Scaping ⁽¹⁾	381,326
5.	Market Street Shoreline Improvements ⁽¹⁾	330,000
6.	Northwood and Brewington Branch Culvert ⁽¹⁾	290,000
7.	ADA: Ramp and Bathroom Conversion ⁽³⁾	40,000
8.	Field Operations Facility Plan - Phase 2 ⁽³⁾⁽⁴⁾	1,500,000
9.	Port Exchange Riverwalk Replacement ⁽³⁾	<u>114,000</u>
TOTAL		<u>\$6,124,076</u>

¹ Project was approved for bond funding in the fiscal year 2022 budget ordinance (Ordinance No. 2660).

² Project is also referred to in certain City budgetary materials as “Field Operations Master Plan – Phase III New Vehicle Maintenance Facility.”

³ Project was approved for bond funding in fiscal year 2022 through the fiscal year 2021 budget ordinance (Ordinance No. 2593).

⁴ Project is also referred to in certain City budgetary materials as “Field Operations Master Plan – Phase II New Administrative Building;” and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2675, certain other Ordinances of the City identified in Resolution No. 3117 (defined below) and Resolution No. 3117, adopted by the Council on August 9, 2021, approved by the Mayor on August 10, 2021 and effective on August 10, 2021 (“Resolution No. 3117”), the City determined to borrow money for the public purpose (in part) of financing or reimbursing “costs” and “Costs of the 2021 New Money Projects” (each as defined in Section 2(b) of Resolution No. 3117, which definitions mirror the definitions of “costs” and “Costs of the Projects” set forth in Section 3(b) of Ordinance No. 2675) of the projects specified in Section 2(b) of Resolution No. 3117 (which included all of the Original Authorized Projects), and evidenced this borrowing by the issuance on September 1, 2021 of a single series of general obligation bonds of the City in the original aggregate principal amount of Eight Million Nine Hundred Sixty-Five Thousand Dollars (\$8,965,000) and designated as the “City of Salisbury Tax-Exempt Public Improvement and Refunding Bonds of 2021” (the “2021 Tax-Exempt Bonds”); and

WHEREAS, a portion of the original aggregate principal amount of the 2021 Tax-Exempt Bonds was issued for the purpose of currently refunding all or a portion of certain outstanding

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72 general obligation bonds of the City, which portion of the 2021 Tax-Exempt Bonds was not issued
73 pursuant to the authority of Ordinance No. 2675; and
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75 **WHEREAS**, due to net original issue premium received by the City in connection with
76 the sale of the 2021 Tax-Exempt Bonds, the City was able to reduce the portion of the original
77 aggregate principal amount of the 2021 Tax-Exempt Bonds actually issued to finance or reimburse
78 costs of the Original Authorized New Money Projects from the maximum original aggregate
79 principal amount of the Authorized Bonds provided for in Ordinance No. 2675, and thereby to
80 allocate a portion of such net original issue premium, together with a portion of the principal
81 amount of the 2021 Tax-Exempt Bonds, to fund the Original New Money Authorized Projects in
82 the maximum aggregate principal amount of \$6,124,076 contemplated by Ordinance No. 2675;
83 and
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85 **WHEREAS**, a portion of the principal amount of the 2021 Tax-Exempt Bonds, together
86 with a portion of net original issue premium, was originally appropriated and allocated to (i) the
87 Original New Money Authorized Projects identified in the table in the fourth preceding WHEREAS
88 clause above, in the amounts specified in such table (for a total of \$6,124,076); and
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90 **WHEREAS**, pursuant to (i) Ordinance No. 2977, passed by the Council on March 2, 2026,
91 approved by the Mayor on March 2, 2026 and effective on March 2, 2026 (“Ordinance No. 2977”),
92 the City amended and supplemented Ordinance No. 2675, and (ii) Resolution No. 3462, adopted by
93 the Council on March 2, 2026, approved by the Mayor on March 2, 2026 and effective on March 2,
94 2026 (“Resolution No. 3462”), the City amended and supplemented Resolution No. 3117, in order to
95 reallocate a total of \$217,282.00 of the principal amount of the new money portion of the 2021 Tax-
96 Exempt Bonds from the Original Authorized New Money Project identified in Ordinance No. 2675
97 as “Northwood and Brewington Branch Culvert” to a project generally identified in City materials as
98 “112 W. Church Street – City Hall” (the “2026 Additional Project”), resulting in a reallocation of the
99 principal amount of the Authorized Bonds (meaning the new money portion of the 2021 Tax-Exempt
100 Bonds) as follows:
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103 [CONTINUED ON FOLLOWING PAGE]
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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	GOB Air Handler Replacement ⁽¹⁾	\$ 178,750
2.	Apparatus Replacement - Aerial Ladder ⁽¹⁾	1,400,000
3.	Field Operations Facility Plan – Phase 3 Garage ⁽¹⁾⁽²⁾	1,890,000
4.	Downtown Street Scaping ⁽¹⁾	381,326
5.	Market Street Shoreline Improvements ⁽¹⁾	330,000
6.	Northwood and Brewington Branch Culvert ⁽¹⁾	72,718
7.	ADA: Ramp and Bathroom Conversion ⁽³⁾	40,000
8.	Field Operations Facility Plan - Phase 2 ⁽³⁾⁽⁴⁾	1,500,000
9.	Port Exchange Riverwalk Replacement ⁽³⁾	114,000
10.	112 W. Church Street – City Hall ⁽⁵⁾	<u>217,282</u>
TOTAL		<u>\$6,124,076</u>

¹ Project was approved for bond funding in the fiscal year 2022 budget ordinance (Ordinance No. 2660).

² Project is also referred to in certain City budgetary materials as “Field Operations Master Plan – Phase III New Vehicle Maintenance Facility.”

³ Project was approved for bond funding in fiscal year 2022 through the fiscal year 2021 budget ordinance (Ordinance No. 2593).

⁴ Project is also referred to in certain City budgetary materials as “Field Operations Master Plan – Phase II New Administrative Building.”

⁵ This project may be referred to by other names in City materials, including budget materials; and

WHEREAS, the City now desires to (i) allocate \$4,854.00 of investment earnings on the 2021 Tax-Exempt Bonds to a project not included in Ordinance No. 2675, as amended and supplemented to date, that is generally identified in City materials as “Zoo Facility Improvements” or by similar names (the “2026 Additional Project”), (ii) reallocate \$21,250.00 of the principal amount of the new money portion of the 2021 Tax-Exempt Bonds previously allocated to the Original Authorized New Money Project identified as “GOB Air Handler Replacement” to the 2026 Additional Project, (iii) reallocate \$2,380.00 of the principal amount of the new money portion of the 2021 Tax-Exempt Bonds previously allocated to the Original Authorized New Money Project identified as “Apparatus Replacement – Aerial Ladder,” and (iv) allocate \$2,696.00 of the portion of the net original issue premium allocated to costs of issuance of the new money portion of the 2021 Tax-Exempt Bonds to the 2026 Additional Project; and

WHEREAS, accordingly, the City desires to expand the list of the Original Authorized New Money Projects as set forth in Ordinance No. 2675, as amended and supplemented to date, in order to allow a portion of the principal amount of the Authorized Bonds (meaning a portion of the new

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money portion of the 2021 Tax-Exempt Bonds) and certain other amounts relating to the new money portion of the 2021 Tax-Exempt Bonds to be applied to the 2026 Additional Project and to identify such 2026 Additional Project as part of the “Projects” for all purposes of Ordinance No. 2675, as amended and supplemented.

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

(a) The Recitals to this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that are not defined therein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any 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 “investment earnings” shall be construed to include interest income.

(d) References in this Ordinance to “principal amount” shall be construed to refer to the original aggregate principal amount of the 2021 Bonds issued for new money purposes.

Section 2. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and Ordinance No. 2675, from and after the effective date of this Ordinance, and subject to Sections 2(d) and 7 hereof, Section 3(b) of Ordinance No. 2675 (as amended and supplemented to date) is hereby deleted in its entirety and inserted in place thereof shall be the following:

“(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, costs of the following activities and expenses: land and right-of-way acquisition and development; acquisition of other property rights; site and utility improvements, including, without limitation, grading, landscaping, paving and repaving, sidewalk, curb, gutter, storm water, water and sewer

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improvements, street lights, amenities, and related or similar activities and expenses; demolition, razing and removal; acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation, upgrading, improvement, installation, furnishing and equipping activities and expenses, and related or similar activities and expenses; planning, design, engineering, testing, study, architectural, feasibility, surveying, document development, bidding, permitting, inspection, construction management, financial, administrative and legal expenses, and related or similar activities and expenses; contingencies; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City's share or contribution to the financing, reimbursement or refinancing of any such project (collectively, "Costs of the Projects"). The maximum original aggregate principal amount of the Bonds (or the BANs, as identified in Section 6 hereof) to be appropriated or applied to the Costs of the Projects (exclusive of any net original issue premium realized upon sale or investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	GOB Air Handler Replacement ⁽¹⁾	\$ 157,500
2.	Apparatus Replacement - Aerial Ladder ⁽¹⁾	1,397,620
3.	Field Operations Facility Plan – Phase 3 Garage ⁽¹⁾⁽²⁾	1,890,000
4.	Downtown Street Scaping ⁽¹⁾	381,326
5.	Market Street Shoreline Improvements ⁽¹⁾	330,000
6.	Northwood and Brewington Branch Culvert ⁽¹⁾	72,718
7.	ADA: Ramp and Bathroom Conversion ⁽³⁾	40,000
8.	Field Operations Facility Plan - Phase 2 ⁽³⁾⁽⁴⁾	1,500,000
9.	Port Exchange Riverwalk Replacement ⁽³⁾	114,000
10.	112 W. Church Street – City Hall ⁽⁵⁾	217,282
11.	Zoo Facility Improvements ⁽⁶⁾	<u>23,630</u>
TOTAL		<u>\$6,124,076</u>

¹ Project was approved for bond funding in the fiscal year 2022 budget ordinance (Ordinance No. 2660).

² Project is also referred to in certain City budgetary materials as "Field Operations Master Plan – Phase III New Vehicle Maintenance Facility."

³ Project was approved for bond funding in fiscal year 2022 through the fiscal year 2021 budget ordinance (Ordinance No. 2593).

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⁴ Project is also referred to in certain City budgetary materials as “Field Operations Master Plan – Phase II New Administrative Building.”

⁵ This project may be referred to by other names in City materials, including budget materials.

⁶ This project may be referred to by other names in City materials, including budget materials. In addition, the City intends to allocate certain investment earnings and other amounts relating to the Bonds to this project.

The projects identified in items 1-11 above are collectively referred to herein as the “Projects.” The Projects described in items 1-11 above are identified by approximately the same names as such Projects are identified in the City budget and related materials. The City, without notice to or the consent of any registered owners of any issued Bonds (or the registered owners of any issued BANs, as applicable), may allocate and reallocate the maximum principal amount of any issued Bonds (and of any issued BANs, as applicable) (exclusive of any net original issue premium realized upon sale or investment earnings that may be applied for such purposes) to be spent on Costs of the Projects among any of the Projects in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that the principal amount of any issued Bonds (or of any issued BANs, as applicable) may be spent on any applicable Costs of the Projects, notwithstanding the descriptive names used for the Projects in the table above, including, without limitation, costs related to changes in the scopes of and/or names of the Projects effected through applicable budgetary procedures or applicable law.”

(b) By undertaking the amendments to Section 3(b) of Ordinance No. 2675, as amended and supplemented to date, provided for in subsection (a) of this Section 2, the City is in effect adding the 2026 Additional Project identified as item 11 “Zoo Facility Improvements” in the table set forth in subsection (a) above to the list of the Original Authorized New Money Projects the costs of which may be financed or reimbursed from the original principal amount of the new money portion of the 2021 Tax-Exempt Bonds and investment earnings thereon, without taking into account the fact that a portion of net original issue premium allocated to the sale proceeds of the new money portion of the 2021 Tax-Exempt Bonds is or was being applied to pay costs of the Original Authorized New Money Projects. By adding the 2026 Additional Project identified in item 11 in the table set forth in subsection (a) to the list of Projects set forth in Section 3(b) of Ordinance No. 2675, the City is also providing authorization for net original issue premium and investment earnings allocated to the new money portion of the 2021 Tax-Exempt Bonds to be applied to the costs of the 2026 Additional Project once the provisions of subsection (d) below and Section 7 hereof have been complied with. The principal amounts of the new money portion of the 2021 Tax-Exempt Bonds are hereby appropriated/re-appropriated in the maximum principal amounts set forth in the table in Section 2(a) above. In addition, the City hereby appropriates the following amounts to payment of costs of the 2026 Additional Project: (i) \$4,854.00 from investment earnings on the new money portion of the 2021 Tax-Exempt Bonds and (ii) \$2,696.00 from the portion of the net original issue premium

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240 allocated to the new money portion of the 2021 Tax-Exempt Bonds for the payment of costs of
241 issuance.

242
243 (c) The projects identified in the table set forth in subsection (a) above (which amends
244 and supplements Section 3(b) of Ordinance No. 2675, as amended and supplemented to date) are
245 collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection
246 (d) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all
247 references to the Projects in Ordinance No. 2675, as amended and supplemented to date, shall be
248 deemed to be references to the 2026 Revised Projects, as identified in this Ordinance. Subject to the
249 provisions of subsection (d) below and Section 7 of this Ordinance, from and after the effective date
250 of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of
251 Ordinance No. 2675, as amended and supplemented, including by this Ordinance, with respect to the
252 application of the principal amount of the Authorized Bonds as authorized by Ordinance No. 2675.

253
254 (d) Notwithstanding the foregoing provisions of this Section 2, the principal amount of
255 the new money portion of the 2021 Tax-Exempt Bonds (including allocable net original issue
256 premium and allocable investment earnings thereon) may not be applied to costs of the 2026
257 Additional Project unless and until the City adopts a resolution making corresponding amendments
258 to the provisions of Section 2(b) of Resolution No. 3117, as amended and supplemented to date, to
259 include the 2026 Additional Project in the list of the 2021 New Money Projects identified in
260 Resolution No. 3117, thereby allowing a portion of the principal amount of the new money portion
261 of the 2021 Tax-Exempt Bonds to be applied to costs of the 2026 Additional Project.

262
263 (e) Subject to the provisions of the subsections above and Section 7 of this Ordinance, it
264 is the intention of the Council that any investment earnings earned on the new money portion of the
265 proceeds of the 2021 Tax-Exempt Bonds (i) prior to the effective date of this Ordinance, to the extent
266 not already spent in accordance with the provisions of the Ordinance No. 2675 (as amended and
267 supplemented), Resolution No. 3117 (as amended and supplemented) or applicable budgetary
268 procedures or applicable law, and (ii) on and after the effective date of this Ordinance, shall be applied
269 to costs of any of the 2026 Revised Projects; provided that, any such investment earnings may be
270 allocated otherwise in accordance with applicable budgetary procedures or applicable law, including,
271 to the extent applicable, by resolution.

272
273 (f) References in this Ordinance to applying principal or net original issue premium of
274 the 2021 Tax-Exempt Bonds and any investment earnings on the proceeds of the 2021 Tax-Exempt
275 Bonds to costs of the 2026 Additional Project shall be construed to refer solely to proceeds
276 constituting the new money portion of the 2021 Tax-Exempt Bonds and not to any proceeds of the
277 2021 Tax-Exempt Bonds issued for current refunding purposes.

278
279 **Section 3.** **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL**
280 **OF THE CITY OF SALISBURY, MARYLAND,** that, subject to the provisions of Sections 2(d)
281 and 7 of this Ordinance, any of the Mayor, the City Administrator, the Director of Finance and all
282 other appropriate officials and employees of the City, to the extent acting within the scope of their

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction

283 respective authority, are hereby authorized and empowered to take any and all action necessary or
284 appropriate to provide for the application of the proceeds of the new money portion of the 2021 Tax-
285 Exempt Bonds to finance or reimburse costs of the 2026 Revised Projects and to approve, execute
286 and deliver all documents, certificates or instruments necessary or appropriate in connection therewith
287 or in connection with the transactions contemplated by this Ordinance, including, without limitation,
288 any amendments, modifications or supplements to any documents, certificates or instruments
289 delivered in connection with the 2021 Tax-Exempt Bonds.

290
291 **Section 4.** **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL**
292 **OF THE CITY OF SALISBURY, MARYLAND,** that from and after the effective date of this
293 Ordinance, Ordinance No. 2675 (as amended and supplemented to date) shall be deemed amended
294 and supplemented as provided herein and all other terms and provisions of Ordinance No. 2675 (as
295 amended and supplemented to date) shall remain in full force and effect.

296
297 **Section 5.** **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL**
298 **OF THE CITY OF SALISBURY, MARYLAND,** that the title of this Ordinance shall be deemed
299 to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

300
301 **Section 6.** **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL**
302 **OF THE CITY OF SALISBURY, MARYLAND,** that the provisions of this Ordinance shall be
303 liberally construed in order to effectuate the transactions contemplated by this Ordinance.

304
305 **Section 7.** **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF**
306 **THE CITY OF SALISBURY, MARYLAND,** that this Ordinance shall become effective
307 following approval by the Mayor or subsequent passage by the Council following the Mayor's veto
308 in accordance with the provision of Section SC2-12 of the Charter; provided, however, that,
309 notwithstanding the effective date of this Ordinance, no portion of the sale proceeds of the new money
310 portion of the 2021 Tax-Exempt Bonds or investment earnings thereon may be applied to costs of the
311 2026 Additional Project unless Resolution No. 3117 (as amended and supplemented to date) is
312 amended and supplemented as described herein. Pursuant to Charter Section SC2-16, this Ordinance
313 shall not be subject to petition to referendum.

314
315
316 [CONTINUED ON FOLLOWING PAGE]
317

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24 day of August, 2026, 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 _____, 2026.

ATTEST:

Julie A. English, City Clerk

April R. Jackson, City Council President

Approved by me, this _____ day of _____, 2026:

Randolph J. Taylor, Mayor

#245331;58111.001

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: Scott Roberts, Director of Arts, Business and Culture
Date: August 19, 2026
Subject: Ordinance for Accepting Funds From Main Street Improvement Grant FY27- 1st Reading

The Department of Arts Business and Culture Department has been made aware that the Maryland Department of Housing and Community Development (DHCD) has awarded the city in the amount of \$26,000 for the purpose of downtown revitalization. We request that the city accept this grant, which would allow for revitalization initiatives to continue. There is no match requirement for these funds.

Attachment(s):

[FY27MIPAwardLetter_Salisbury \(1\).pdf](#)
[MIP FY27 Budget Breakdown-UPDATED.docx](#)
[Revised-FY27 MIP LOA Agreement.pdf](#)
[Ord3024](#)
[Grant Agreement-MIP FY27.pdf](#)

July 1, 2026

Derek Jarmon
Economic Development Manager
City of Salisbury
125 North Division Street, Room 103
Salisbury, MD 21801

Dear Mr. Jarmon:

On behalf of Governor Wes Moore and Lieutenant Governor Aruna Miller, it is my pleasure to inform you that your FY2027 Operating Assistance Grant application for operating support through the Main Street Improvement Program has been awarded funds in the amount of \$26,000.

The Maryland Department of Housing and Community Development (DHCD) is committed to the success of our many cities and towns across Maryland. Operating Assistance Grants - consisting of the Main Street Improvement Program and the Technical Assistance Grant - are an effective way for local governments, development corporations and nonprofits to obtain or provide services to achieve their community revitalization and economic development goals.

The actual allocation of this award is conditioned upon your organization being in compliance with all current DHCD grant awards, meeting the requirements of the Operating Assistance Grant and the execution of an award agreement with the department. Program staff will be in contact with your office soon to discuss this matter in more detail.

Again, congratulations on your award and thank you for providing valuable services in your community. If you require further assistance regarding this matter, please contact Kristin Dawson by e-mail at kristin.dawson@mayland.gov.

Sincerely,



Jacob R. Day
Secretary

cc: Kari Snyder, Assistant Secretary, Neighborhood Revitalization
Christine McPherson, State Coordinator, Main Street Maryland



City of Salisbury

Please find the breakdown of our “Operating Requested amount” from the budget table below.

Use of Funds	Amount	Source	Description
Small Business Support	\$15,000	FY27 MIP Funding	Funding will be directed at strengthening our engagement and recruitment of business within our Main Street designated area. This includes supporting/collaborating with various events, interactive components to attract visitors, façade assistance, activating vacant storefronts specifically during events, etc.
Events/Promotion/Marketing	\$7,000	FY27 MIP Funding	-Let’s Rallie Renewal: \$1,800 -Shop Small-Nov.: \$1,500 budgeted -Halloween Night Market: \$1,500 -Shop Small Valentine’s Day: \$1,500 -Over the Edge: Let’s Rallie inclusion
Beautification/ Placemaking	\$0,000	FY27 MIP Funding	Based off GSC’s beautification initiative.

Thank you,

Derek V. Jarmon Jr.

Derek V. Jarmon Jr.

Economic Development Manager

**Maryland Department of Housing and Community Development
Main Street Maryland Program
Agreement for Designated Communities**

This Agreement is entered into between and executed by the MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ("DHCD") and CITY OF SALISBURY (referred to herein as the "Local Government" or the "MSM Community").

This Agreement is for the purpose of implementing the Main Street Approach™ in the designated program (the "Program") area in SALISBURY, Maryland. For this purpose, the parties below mutually agree to use their best efforts regarding the following:

I. RESPONSIBILITIES OF THE LOCAL GOVERNMENT

- **Commit:** The Local Government is responsible for maintaining the Main Street designation in accordance with the responsibilities of this agreement.
- **Identify a Partner, if Desired:** The Local Government may choose to identify a nonprofit partner to administer the local Main Street Maryland program (the "Local Program"). An executed agreement documenting the partnership must be provided to DHCD.
- **Provide Ongoing Support:** In addition to providing operating funding to support the Local Program, the Local Government will endeavor to demonstrate leadership and support through committee participation, in-kind donations, and policy support for the Local Program. The Local Government should also provide infrastructure improvements and business incentives that enhance the designated Program area.
- **Sign an Agreement:** Local commitment and support are critical to Program success. The Local Government and DHCD must sign an agreement that clearly specifies the responsibilities of each party.
- **Report Challenges:** If the MSM Community experiences challenges meeting participation requirements in one or more areas, the Local Government should contact DHCD in a timely manner to discuss challenges and develop strategies and a timeline to address these challenges.

II. RESPONSIBILITIES OF THE MSM COMMUNITY

- **Use The Main Street Approach™, Including Maryland's "Fifth Point":** The MSM Community must use the national Main Street Approach™. This approach is a revitalization strategy that uses a four-point framework: Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization. It is rooted in a commitment to broad-based community engagement, a holistic understanding of the factors that impact the quality of life in a community, and a strategic focus on core principles of

downtown and neighborhood revitalization that are rooted in historic preservation. Likewise, the MSM Community must use Maryland's "Fifth Point": Clean, Safe and Green.

- **Work in the Approved Main Street District:** The Main Street Approach™ is part of a transformation strategy to be implemented within certain geographic boundaries as approved by DHCD during the application process. The district must be a physical setting conducive to applying the Main Street Approach™, including a pedestrian scale and orientation; a critical mass of buildings with first floor businesses or a critical mass of buildings zoned for first floor commercial; and a substantial number of structures eligible for rehabilitation incentives. Districts also must demonstrate a historic preservation ethic that protects the local community identity ("**Main Street District**"). Changes to the Main Street District boundaries must be approved by DHCD.
- **Have an Advisory Board or Board of Directors:** The MSM Community must have an Advisory Board, for government-led programs, or a Board of Directors (Collectively, and individually hereinafter referred to as the "**Board**") for non-profit programs. The Board must be composed of a representative base of the district stakeholders and community members, dedicated to leading the Local Program. The historic downtown constituency is unique and has not been adequately served by traditional economic and business development groups, a separate, independent Board with a mission to act as the advocate for historic downtown is essential to stem economic decline and foster progress.
- **Have Sustainable Program Funding:** The financial stability of the MSM Community is crucial to achieving the Program's mission. In addition to paying salaries, the MSM Community's operating budget must demonstrate diverse funding sources that cover all program and administrative expenses, including activities outlined in the comprehensive work plan, overhead and program administration, travel and professional development. Budgets will vary by community and example budgets are available from DHCD. DHCD strongly encourages the MSM Community to implement the following funding model: one-third from the Local Government, one-third from grants, and one-third from corporate and individual donors.
- **Employ A Program Director:** Paid professional staff to manage the Main Street program is critical and required to meet accreditation with Main Street America. At a minimum, DHCD requires a part-time manager (the "MSM Manager") at 25+ hours a week for cities under 5,000 in population and a full-time manager at 35+ hours a week for cities over 5,000 in population. The manager's job description should state 25+ for part-time or 35+ for full-time be dedicated to the Main Street program, if other duties are required. However, DHCD strongly encourages a full-time manager, no matter the population size, to be most effective. Salaries should be commensurate with public-oriented professionals in the area. If this position becomes vacant, DHCD shall be involved in the process for selection of a new MSM Manager.
- **Have Organizational Systems and Structures:** Administrative systems and tools help effectively manage Local Program activities throughout the MSM Community while

benchmarking progress. Each year DHCD requires that the MSM Community submit to DHCD a work plan that is aligned with the MSM Community's transformation strategy and outlines programming across the Main Street Approach™ and Maryland's "Fifth Point". Work plans (template provided by Main Street America) will include one or more projects or events, expected (measurable) outcomes, specific tasks needed to accomplish the project or event, assignments of those tasks showing volunteer and staff responsibilities, timelines, and budgets. The MSM Community should operate in compliance with its bylaws, operating agreement, and other organizational documents as applicable. In executing this Agreement, the MSM Community confirms that its organizational documents do not conflict with the requirements identified herein.

- **Program Logo:** DHCD's Program Designated tier logo must appear on the MSM Community's website/webpage. The MSM Community must use the DHCD provided DHCD's Program logo on social media, email, and marketing materials when appropriate. Electronic artwork and style guides are provided.
- **Maintain Accreditation Standards:** The MSM Community must be recognized as a Main Street America™ nationally accredited program at least once every two years to demonstrate the performance standards of the Local Program. Main Street America's annual national assessment is used to make the accredited determination. Failure to remain in compliance with this standard may result in DHCD moving the Community to another tier that best supports the Program's needs.
- **Maintain Membership with the National Main Street Center:** The MSM Community must maintain compliance with Main Street America™ through the National Main Street Center, Inc. ("National Main Street"). The MSM Community must sign the National Main Street Trademark Sublicense Agreement ("Sublicense Agreement") and must be and remain in good standing as a member at the accredited and/or affiliated membership level. National Main Street will send logos and website language following receipt of the signed Sublicense Agreement.
- **Professional Development and Training:** The MSM Managers are required to attend certain DHCD meetings, including but not limited to regional site visits, training sessions, Power Hours, the annual Main Street Maryland Conference, and the National Main Street Now Conference. Though MSM Managers are required to attend the Main Street Now conference at least every other year, DHCD recommends annual attendance as it is the best opportunity to receive professional development and training in the field.
- **Submit Information to DHCD:** The MSM Community must submit the following to DHCD:
 - Ongoing, as changes occur:
 - Contact information for any MSM Community staff
 - Annually:
 - Most recent end-of-year financial statement with detailed income sources. Audited financial statements are required for organizations with \$750,000 or more in charitable contribution in one fiscal year. Reviewed financial statements are required for organizations with

charitable contributions between \$300,000 and \$749,999 per fiscal year. Organizations with charitable contributions less than \$300,000 per fiscal year are typically exempt from review requirements.

- A current list of the members of the Board, identifying any affiliations each Board member has with the district, including but not limited to any potential conflicts of interest;
- Adopted conflict of interest policy for the organization;
- Annual comprehensive work plan for the upcoming year with measurements of success and defined transformation or economic strategy(s);
- Annual impact data including job creation, private and public investment, business opened/closed, and more.
- Local design guidelines (if applicable);
- All local grant applications, as applicable, such as Façade Improvement, Small Business Support, etc; and
- If the MSM Community is a nonprofit organization, most recent IRS Form 990, Bylaws/Operating Agreement, and Articles of Incorporation/Organization, proof of good standing and current charitable registration status in the State of Maryland.
- Maintain current property data as required in Main Street America's BOOMS Tracker system.

- **Report Challenges:** If the MSM Community is experiencing challenges meeting the requirements in one or more areas, the MSM Community should contact DHCD as soon as possible to discuss the situation, arrange assistance, and develop a schedule to address the challenges in a timely manner.

III. RESPONSIBILITIES OF DHCD

DHCD will provide the services listed below to the MSM Community using a performance-based approach that will require discussions between the MSM Community and DHCD to set appropriate targets and outcomes. DHCD is committed to maintaining long-term relationships with the MSM Community.

- **Specialist Services and Technical Assistance:**
 - Design Assistance: As resources allow, DHCD will provide architectural and/or design services to support requests for façade designs, consultations, and training.
 - Specialist On-site Visits: DHCD staff is available on request. Specialists are available based on need and as resources allow.
 - Program Assessment: DHCD will perform a constructive assessment annually to determine Main Street America accreditation according to the performance standards that provide national recognition.
- **Program Support and Professional Development:**

- Program Trainings and Workshops: A variety of training and peer gatherings are offered for Local Program professionals and Local Government officials. These events are provided by DHCD and outside specialists to include virtual, in-person, and field training sessions as well as presentations on downtown revitalization topics. Certain training/workshops are required for MSM Managers; and DHCD will endeavor to hold such events at least quarterly.
- Board Training: Board members are required to attend training offered by DHCD during the first year of their first term of service.
- Organizational Assistance: DHCD can assist with organizational issues, including the role and responsibilities of staff and the Board. Assistance includes annual work plan development, fund development, volunteer management plans, and non-profit organizational management. Additional topics available. Assistance may be provided on-site or virtually.
- Main Street Improvement Grants and other DHCD Grants: The MSM Community receives funding by applying to the Main Street Improvement Grant program as well as priority consideration for funding from other DHCD programs and other State agencies.
- Resource & Information Sharing: Timely electronic communications from the National Main Street Center to assist local programs with accessing programs, services, and information from the global network. Networking with other communities, whether in person or virtually, is strongly encouraged. DHCD maintains a contact list for local program use.
- DHCD matches the MSM Community to the appropriate MSM tier to best support the program's needs.
- **Provide Marketing:**
 - Public Relations: Press coverage and exposure are provided through media releases and marketing materials and maintenance of the Program website.
 - Use of DHCD's Program Logo: Electronic artwork and style guide are provided.
- **Sign an Agreement:** Local commitment and support are critical to Program success. The Local Government; the MSM Community, if separate from the Local Government; the downtown organization (if applicable); and DHCD must sign an agreement that clearly specifies the responsibilities of each party.

IV. MISCELLANEOUS & SIGNATURES

- The term of this Agreement shall begin July 1, 2026 and will expire on June 30, 2027.
- This Agreement may be revised only by a written agreement signed by all parties.
- This Agreement may be terminated by any party by giving written notice to all other parties at least thirty (30) days before the effective date of termination. Reasons for termination may include, but are not limited to, non-compliance with this Agreement or non-appropriation of funding. Upon termination, Main Street™ status and permission to use the Main Street™ trademarked name will be revoked.

- This Agreement supersedes any and all other agreements, either oral or written, between the parties below regarding the subject matter herein.
- This Agreement may be signed in counterparts, all of which collectively shall be deemed one agreement.
- The parties agree that this Agreement may be executed by electronic signature, which shall be considered as an original signature for all purposes, and shall have the same force and effect as an original handwritten signature. Without limitation, "electronic signature" shall include: faxed versions of an original handwritten signature; electronically scanned and transmitted versions (e.g., via pdf) of an original handwritten signature; and any typed signature (including any electronic symbol or process attached to, or associated with, the Agreement) adopted by the parties with the intent to sign the Agreement.

BY: Allen Swiger DATE: 6/11/25
 (Board of Directors or Advisory President/Chair/Executive Lead: The Main Street Community)

PRINTED FIRST AND LAST NAME: Allen Swiger TITLE: Acting Advisory Chair

BY: [Signature] DATE: 6-11-26
 (Local Government – Mayor or if not a municipality, County Executive)

PRINTED FIRST AND LAST NAME: Ramona J. May TITLE: Mayor

BY: _____ DATE: _____
 (MD Department of Housing and Community Development)

PRINTED FIRST AND LAST NAME: Kari Snyder POSITION: Assistant Secretary

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AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$26,000 AND TO APPROVE A BUDGET AMMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS FOR THE ARTS, BUSINESS AND CULTURE DEPARTMENT.

WHEREAS, the Maryland Department of Housing and Community Development has a Main Street Improvement Program; and

WHEREAS, the purpose of the grant program is to provide funding to revitalize Maryland historic main street districts such as Downtown Salisbury; and

WHEREAS, The City of Salisbury submitted a grant application to The Maryland Department of Housing and Community Development for funding of downtown revitalization initiatives; and

WHEREAS, the Maryland Department of Housing and Community Development has awarded the City funds in the amount of \$26,000; and

WHEREAS, the City of Salisbury must enter into a grant agreement with the Maryland Department of Housing and Community Development to define, *inter alia*, how these funds will be used; and

WHEREAS, all funds shall be used to fund downtown revitalization initiatives; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury.

WHEREAS, appropriations necessary to execute the purpose of this grant 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 enter into a grant agreement with the Maryland Department of Housing and Community Development on behalf of the City of Salisbury, which is attached as **Exhibit A**, for the city's acceptance of grant funds in the amount of \$26,000.

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

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

(a) Increase Dept. of Housing Comm Dev Revenue Account No. 10500-423601-XXXXX by \$26,000; and

(b) Increase Operating Expense Account No. 10500-546006-XXXXX by \$26,000.

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

37 **Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
38 of this Ordinance shall be deemed independent of all other provisions herein.

39 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
40 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
41 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
42 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
43 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

44 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
45 if such recitals were specifically set forth at length in this Section 5.

46 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

47 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
48 of Salisbury

49 **ATTEST:**

50 _____

51 **Julie A. English, City Clerk**

_____ **April R. Jackson, City Council President**

52 Approved by me, this _____ day of _____, 2026.

53 _____

54 **Randolph J. Taylor, Mayor**

55

OPERATING ASSISTANCE GRANT PROGRAM GRANT AGREEMENT

This Grant Agreement (this "**Agreement**"), by and between the DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, a principal department of the State of Maryland ("**DHCD**"), and CITY OF SALISBURY (the "**Grantee**"), is effective as of July 1, 2026 (the "**Effective Date**").

RECITALS

WHEREAS, Grantee has applied to DHCD for a grant under the Operating Assistance Grant Program (the "**Program**"). The Program includes: Main Street Improvement Program Grants ("**MIP Grants**"), pursuant to §6-102 of the Housing and Community Development Article of the Annotated Code of Maryland, COMAR 5.13.02, and DHCD's general authority to administer and implement programs, pursuant to §2-102 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended. The provisions of the Annotated Code of Maryland and the related regulations are referred to herein collectively as the "**Act**."

WHEREAS, the purpose of the MIP Grants is to promote the development and revitalization of business districts in local jurisdictions through a grant to a local government designated as a Main Street Maryland community, a Baltimore Main Street, or a nonprofit Main Street organization, with the support of the local government.

WHEREAS, in reliance upon the representations and certifications contained in the Grantee's application for grant assistance dated March 20, 2026 (the "**Application**"), DHCD has approved an award of **MIP Grant** funds to the Grantee, to be expended by the Grantee in accordance with the requirements and provisions of this Agreement, the Program, DHCD's Program Policy Guide, as amended from time to time (the "**Guide**"), and the Act.

IN CONSIDERATION of the mutual promises and covenants contained in this Agreement, DHCD and Grantee agree as follows:

1. Specific Purpose.

The purpose of this Agreement is to provide the Grantee with financial assistance to pay for the activities (the "**Project Activities**") set forth in Exhibit A attached hereto (the "**Project**"). Upon request by the Grantee, DHCD, in its sole discretion, may modify the Project Activities and/or the Project by providing prior written notice to Grantee of such modification.

2. Grant Amount.

(a) DHCD agrees to provide Grantee with a grant from the Program in a total amount not to exceed Twenty-Six Thousand and 00/100 Dollars (\$26,000) (the "**Grant**").

(b) The Grant shall be disbursed in accordance with Section 6 of this Agreement and as set forth in the budget (the "**Budget**") set forth and attached as Exhibit B of this Agreement.

3. Grantee Contribution.

The Secretary of DHCD has made a determination to waive the Grantee contribution pursuant to COMAR 5.11.01.11(D) and COMAR 5.13.02.12.

4. Grant Period.

The Grant shall be disbursed over a one year term (the “**Grant Period**”). The Grant Period is deemed to commence on the Effective Date. DHCD, in its sole discretion, may extend the Grant Period by providing prior written notice to the Grantee of such extension. Grantee shall be reimbursed for eligible costs incurred during the Grant Period; provided, however, that DHCD may, in its sole discretion, determine if Grantee shall be reimbursed for costs incurred before the Effective Date. Any costs incurred by Grantee before the Effective Date and before approval by DHCD of the release of Grant funds are incurred voluntarily, at Grantee's risk and upon its own credit and expense, and Grantee's authority to be reimbursed from the Grant funds shall be governed by the provisions of this Agreement. DHCD, in its sole discretion, may extend the Termination Date by written notice to Grantee.

5. Expenditure of the Grant.

Grantee agrees to use the Grant funds only for the approved Project and in accordance with the Budget. All expenses to be paid with the Grant shall be paid in a manner satisfactory to DHCD, prior to the expiration of the Grant Period. The Grantee shall expend the Grant only for the categories of activities set forth in the Budget. Grantee shall use the Grant in accordance with the provisions of the Act, the Guide, and this Agreement.

Grantee may transfer up to ten percent (10%) of the Grant funds between Project Budget Activities without prior written approval of DHCD, so long as the line item to which Grant funds are transferred has already included some amount of the Grant allocated to it prior to such transfer by Grantee. DHCD, in its sole discretion, may allow additional transfers between Project Budget Activities by providing prior written approval to Grantee of such transfers.

6. Disbursement of the Grant.

(a) Requests for disbursement of the Grant shall be made in writing upon forms provided by DHCD. During the term of this Agreement, each request for disbursement from the Grantee shall be accompanied by a progress or final report and contain the information required by DHCD, including but not limited to the status of the Project, goals achieved, expenditures made against the Budget and expected Project activity to be completed prior to submitting the next disbursement request.

(b) Requests for disbursement of Grant funds must be accompanied by a statement that the representations, certifications, and other matters contained in the Application and this Agreement are, and remain, true and complete in all material respects. Disbursement requests may seek funds to pay for certain projected costs anticipated to be incurred, as well as reimbursement for costs incurred, on or after the date of the Application. DHCD shall have the right at any time to request that the Grantee provide additional supporting documentation with any request for disbursement.

(c) All disbursements of the Grant must total \$3,000 minimally and are subject to the availability of funds from the Program during the Grant Period.

(d) Disbursements of the Grant may be made at any time after the Effective Date, subject however, to the satisfaction of any special conditions set forth in Exhibit C.

(e) DHCD reserves the right to make disbursements contingent upon completion by Grantee of the Project Activities, in a manner acceptable to DHCD. Grantee shall indicate on each disbursement request all costs for which payment is requested.

(f) DHCD reserves the right not to disburse all or any portion of the Grant if, in the sole determination of DHCD: (i) Grantee has failed to supply any material fact in a disbursement request; (ii) Grantee's disbursement request, when combined with all prior disbursement requests, exceeds the total amount of the Grant; (iii) Grantee is in default of the terms of this Agreement; or (iv) the Project is not proceeding to the satisfaction of DHCD.

(g) If Grantee is not a local government or jurisdiction, Grantee may use a portion of the Grant funds for reimbursement of indirect costs. The indirect cost reimbursement rate is: (i) equal to the indirect cost reimbursement rate Grantee receives from a federal agency or another State of Maryland ("State") agency, if applicable; or (ii) up to 15% of the costs that would be considered modified total direct costs under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards adopted by the Office of Management and Budget in 2 C.F.R. 200 and any related guidance published by the Office of Management and Budget. The indirect cost reimbursement rate applies to the portion of the Grant, if any, that is for the provision of services.

7. Default and Remedies.

(a) A default shall consist of a breach of any covenant, agreement, term or certification in this Agreement, including a determination by DHCD that (i) the Grantee has expended all or any portion of the Grant for purposes other than as set forth herein; (ii) the Grantee has expended all or any portion of the Grant other than in accordance with the permitted categories of activities set forth in the Budget or as otherwise authorized by this Agreement; or (iii) the Grantee is not completing the Project Activities to the satisfaction of DHCD.

(b) Upon the occurrence of default, DHCD, in its sole discretion may:

- (i) Reduce or withhold subsequent disbursements of the Grant;
- (ii) Demand repayment from Grantee of the portion of the Grant previously disbursed to Grantee; and
- (iii) Terminate this Agreement.

(c) In addition to the rights and remedies contained in this Agreement, DHCD may at any time proceed to protect and enforce all rights available to DHCD by suit in equity, action at law, or by any other appropriate proceedings, all of which rights and remedies shall survive termination of this Agreement. Furthermore, no failure or delay of DHCD to exercise any right, power, or remedy consequent upon a default shall constitute a waiver of any such term, condition, covenant, certification, or agreement, or preclude DHCD from exercising any such right, power, or remedy at any later time or times.

8. General Requirements of Records and Reports: Inspection.

(a) Records and Inspection. Grantee shall maintain accurate financial records in a form acceptable to DHCD of all transactions relating to the receipt and expenditure of the Grant. Grantee shall maintain and shall make the financial records, books, accounts, other relevant records, administrative offices and personnel, whether full-time, part-time, consultants or volunteers, available to DHCD during

reasonable work hours upon request during the term of this Agreement and for a period of not less than 3 years following termination of this Agreement.

(b) Progress Report. Grantee shall submit a written progress report within six months of the effective date containing the information required by DHCD, including but not limited to the current status of the Project, problems encountered or barriers to implementing Project activities as identified in the Budget, and plans for moving Project activity forward.

(c) Final Report. Grantee shall submit to DHCD a final report (the "**Final Report**") which describes the progress made in fulfilling the purposes of the Grant, any problems encountered in fulfilling these purposes, as well as any other relevant factors related to the Grant as determined by DHCD. The Final Report shall also list all expenditures relating to the Grant. In addition, any completed studies, surveys, reports or other work products, if applicable, shall be attached to the Final Report. The Final Report shall be submitted to DHCD within 30 days of the expiration of the Grant Period; provided, however, that in the event Grantee submits its final request for disbursement for all remaining undisbursed Grant funds prior to the expiration of the Grant Period, the Final Report shall be submitted with such final request for disbursement.

9. Modifications.

(a) Except as provided in Section 9 (b), no modification to this Agreement may be made unless by written instrument executed by both Parties.

(b) Modifications not requiring a written instrument.

(i) Modifications to the Project.

- a. DHCD will consider reasonable modifications to the Project.
- b. All requests to modify the Project must be submitted to DHCD in writing.
- c. Prior to a request being made to DHCD, the board of directors or other governing body of the Grantee must have approved the proposed modification.
- d. DHCD shall determine, in its sole discretion, whether to allow the requested modification.
- e. Upon approval of the modification, DHCD will notify the Grantee in writing. This approval shall formalize the modification and constitute a valid modification to this Agreement. A separate written instrument executed by both Parties is not required.

(i) Modifications of the Grant Period or the reallocation DHCD funding in Exhibit B.

- a. Requests to change the grant period or reallocate the use of DHCD funds as described in Exhibit B may be amended from time to time by the Grantee.
- b. To request such change, Grantee may submit a written change order.
- c. If the change order is approved by the DHCD, it shall be countersigned and attached to the Agreement. This shall formalize the modification and constitute a valid modification to this Agreement. A separate written instrument executed by both Parties is not required.

10. Assistance from DHCD. In carrying out the Project Activities, Grantee agrees to accept assistance from DHCD, or DHCD's designee, if DHCD determines such assistance is necessary.

11. Grantee's Certifications. Grantee certifies to DHCD that:

(a) The Grantee shall complete, execute and deliver the Debarment Affidavit included with this Agreement (Exhibit D) to the DHCD. If the Grantee is unable to make all the affirmations in the Debarment Affidavit without qualification, the DHCD shall determine in its sole discretion whether to withdraw its offer under this Agreement.

(b) Grantee is a nonprofit 501(c)(3) organization or a government entity validly existing under the laws of the State, is qualified to do business in the State, and has all requisite power and authority to enter into and carry out the transactions contemplated by this Agreement.

(c) This Agreement has been duly authorized, executed, and delivered by Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and agreement of Grantee.

(d) Grantee is a local jurisdiction or local government, a local development agency, a local development corporation or a nonprofit organization duly organized and validly existing under the laws of the State, is qualified to do business in the State, and has all requisite power and authority to enter into and carry out the transactions contemplated by this Agreement;

(e) This Agreement has been duly authorized, executed and delivered by the Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and agreement of Grantee;

(f) (i) A conflict of interest occurs when an employee, director, officer, board member, volunteer, or elected official (each, an **"Interested Person"**), who has a direct or indirect interest in the Grant or receives any benefit from the Grant, is involved in the selection, award or administration of the Grant;

(ii) If the use of any of the Grant funds could lead to a conflict of interest, any Interested Person must disclose his or her interest to the Grantee and, in connection with the proposed use giving rise to the conflict of interest, not participate in any aspect of the decision-making process regarding how the Grant funds will be allocated or expended, including discussion and debate as well as actual voting;

(iii) Grantee shall establish and follow a written conflict of interest policy (the **"Conflict of Interest Policy"**) that, at a minimum, must include the requirement set forth in Section 11(e)(ii). Grantee shall obtain signatures from each Interested Person on an annual basis that confirms that such Interested Person has read, understands, and will follow Grantee's Conflict of Interest Policy;

(g) The representations, statements and other matters contained in the Application are and remain true and complete in all material respects;

(h) If applicable, Grantee has obtained, or has reasonable assurances, that it will obtain, all federal, State and local government approvals, permits and reviews which may be required to accomplish the Project Activities and its goals under the Project;

(i) Grantee is not affiliated with or controlled by a for-profit organization;

(j) Grantee will comply with all applicable federal, State, and local laws, and all regulations, ordinances, and all terms and conditions established by DHCD or the State with respect to the operation of the Project;

(k) Grantee shall not use, and shall not permit others to use, the Grant funds to engage in political or legislative activities in violation of I.R.C. §501(c)(3);

(l) Grantee has complied or shall comply with all special conditions which may be imposed by DHCD; and

(m) Grantee is not subject to any current or pending bankruptcy proceeding, criminal investigation, or civil investigation by any federal, State, or local government agency for alleged violation of laws or regulations enforced by such agencies.

12. Nondiscrimination and Drug and Alcohol Free Workplace.

(a) Intentionally Omitted

(b) Grantee shall comply with applicable federal, State, and local laws regarding discrimination and equal opportunity in employment, housing, and credit practices, including:

(i) Titles VI and VII of the Civil Rights Act of 1964, as amended, to the end that no person shall experience employment discrimination or be excluded from participation in, or be denied the benefits of, any program or activity for which Grantee receives financial or technical assistance from DHCD, on the grounds of race, color, or national origin;

(ii) Title VIII of the Civil Rights Act of 1968, as amended, to the end that no person shall be denied fair housing;

(iii) Title 20 of the State Government Article, Annotated Code of Maryland, as amended, which establishes the Maryland Commission on Civil Rights and prohibits discrimination in employment and residential housing practices;

(iv) The Governor's Executive Order 01.01.1989.18 relating to Drug and Alcohol Free Workplaces, and any DHCD or State regulations adopted or to be adopted to carry out the requirements of that Order;

(v) The Fair Housing Amendments Act of 1988, as amended to the end that it shall be unlawful to discriminate based on race, color, religion, sex, handicap, familial status, or national origin in connection with rental, sales or financing of residential real property (as those terms are defined in the Fair Housing Amendments Act);

- (vi) The Americans with Disabilities Act of 1990, as amended;
- (vii) State of Maryland Governor's Code of Fair Employment Practices (as set forth in Executive Order 01.01.2007.16);
- (vii) The Secretary's Policy Statement on Equal Opportunity, to the end that DHCD shall not knowingly approve grants of financial or technical assistance to recipients who are engaged in discriminatory employment practices; and
- (ix) All other related applicable federal and State laws, regulations, and rules.

13. Fair Practices Certification.

- (a) The Grantee certifies that it prohibits discrimination on the basis of:
 - (i) Political or religious opinion or affiliation, marital status, color, race, sex, age, creed or national origin; or
 - (ii) The physical or mental disability of a qualified individual with a disability.
- (b) Grantee agrees that it will not engage in the forms of discrimination set forth in this Agreement or prohibited by law.
- (c) Upon the request of DHCD, Grantee shall submit to DHCD information relating to its operations, with regard to political or religious opinion or affiliation, marital status, physical or mental disability, race, color, creed, sex, age, or national origin on a form to be prescribed by DHCD.

14. Indemnification.

- (a) Except in the event of DHCD's negligence or willful misconduct or the negligence or willful misconduct of DHCD's officers, agents, employees, successors and assigns, Grantee (i) releases DHCD, its agents, employees, and the Program from, (ii) agrees that DHCD, its agents, employees and the Program shall not have any liability for, and (iii) agrees to protect, indemnify and save harmless DHCD, its agents, employees and the Program from and against any and all liabilities, suits, actions, claims, demands, losses, expenses and costs of every kind and nature, including reasonable attorneys' fees, incurred by, or asserted or imposed against, DHCD, its agents, employees, or the Program, as a result of or in connection with the Project. All money expended by DHCD, its agents, employees, or the Program as a result of such liabilities, suits, actions, claims, demands, losses, expenses or costs, together with interest rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of Grantee and shall be immediately and without notice due and payable by Grantee to DHCD.
- (b) If Grantee is a local government or jurisdiction, the indemnification and release set forth herein applies only to the extent permitted by the laws of the State and is subject to appropriations as well as the notice requirements and damages limitations stated in the Local Government Tort Claims Act, Md. Code Ann., Cts. & Jud. Proc. § 5-301, et seq., Md. Code Ann..Local Gov't §9-201, 9-202, and Md. Code Ann., Cts. & Jud. Proc. §§5-509 and 5-5A-02 , all as amended from time to time, and is not to be deemed as a waiver of any immunity that may exist in any action against a local government for its officers, agents, volunteers and employees.

15. Notice Regarding Disclosure of Information Relating to the Project. DHCD intends to make available to the public certain information regarding the Project and the Grantee. In addition, DHCD may be required to disclose information about the Project to the Board of Public Works and the Maryland General Assembly and may desire to disclose such information to other State officials or their staff, local government officials or their staff, and other lenders and funding sources. DHCD is also required to disclose information in response to a request for information made pursuant to §4-101 *et seq.* of the Public Information Act of the General Provisions Article, Annotated Code of Maryland (the "PIA"). Information that may be disclosed to any of the foregoing, including the public, may include, among other things, the name of the Grantee; the name, location, and description of the Project; the date and amount of financial assistance awarded by DHCD; the terms of the financial assistance; use of funds; information contained in the Application; a copy of the Application; and the sources, amounts and terms of other funding used to complete the Project, including capital contributions from the Grantee. Certain information may be exempt from disclosure under the PIA. Requests for disclosure of information made pursuant to the PIA are evaluated on an individual basis by DHCD. If Grantee believes that any of the information it has provided to DHCD is exempt from disclosure, Grantee should attach a statement to this Agreement describing the information it believes to be exempt from disclosure, the location of such information (for example, document name) and provide an explanation therefor. DHCD cannot guarantee non-disclosure of such information but may consider Grantee's statement when responding to a request made pursuant to the PIA.

16. Notices. All notices, requests, approvals and consents of any kind made pursuant to this Agreement shall be in writing. Any such communication, unless otherwise specified, shall be deemed effective as of the date it is mailed, postage prepaid, addressed as follows:

- (a) Communications to DHCD shall be mailed to:

Department of Housing and Community Development
2 North Charles Street, Suite 450
Baltimore, Maryland 21201
Attn: Kristin Dawson, Project Manager

- (b) Communication to Grantee shall be mailed to:

City of Salisbury
125 North Division Street, Room 103
Salisbury, MD 21801
Attn: Derek Von Jarmon, Economic Development Manager

17. Amendment. Other than modifications that are explicitly identified in this Agreement as modifications, DHCD may make unilaterally by providing written notice to the Grantee, this Agreement, or any part hereof, may be amended from time to time only by a written instrument executed by both of the parties.

18. Assignment. No right, benefit or advantage inuring to the Grantee and no burden imposed on Grantee under this Agreement may be assigned without the prior written approval of DHCD.

19. Governing Law. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State without regard to its conflict of laws provisions.

20. **Effective Date.** This Agreement is effective as of the Effective Date.

21. **Execution.** The parties agree that this Agreement may be executed by electronic signature, which shall be considered an original signature for all purposes, and shall have the same force and effect as an original handwritten signature. Without limitation, "electronic signature" shall include: faxed versions of an original handwritten signature; electronically scanned and transmitted versions (e.g., via pdf) of an original handwritten signature; and any typed signature (including any electronic symbol or process attached to, or associated with, the Agreement) adopted by the parties with the intent to sign the Agreement. This Agreement and any amendments thereto may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement or amendment and all of which, when taken together, will be deemed to constitute one and the same agreement. The exchange of copies of this Agreement or amendment and of signature pages by facsimile or by electronic transmission shall constitute effective delivery of this Agreement or amendment as to the parties and may be used in lieu of the original Agreement or amendment for all purposes. Each person signing this Agreement on behalf of a Party represents and warrants that the signer is duly authorized to execute this Agreement and to bind the Party authorizing such signature.

22. **CONFESSION OF JUDGMENT. IF THE PRINCIPAL AMOUNT OF THIS AGREEMENT, ANY INSTALLMENT OF INTEREST OR PRINCIPAL, OR ANY OTHER PAYMENT DUE UNDER THIS AGREEMENT IS NOT PAID WHEN DUE, WHETHER BY MATURITY, ACCELERATION OR OTHERWISE, EACH OBLIGOR WHO SIGNS THIS INSTRUMENT HEREBY AUTHORIZES AND EMPOWERS ANY ATTORNEY OR CLERK OF ANY COURT OF RECORD IN THE UNITED STATES OR ELSEWHERE TO APPEAR FOR AND, WITH OR WITHOUT DECLARATION FILED, CONFESS JUDGMENT AGAINST IT AND IN FAVOR OF THE HOLDER OF THIS AGREEMENT, AT ANY TIME, WITHOUT A PRIOR HEARING, AND IN THE AMOUNT OF THE OUTSTANDING PRINCIPAL BALANCE OF THIS AGREEMENT, ALL ACCRUED AND UNPAID INTEREST, OUTSTANDING FEES AND LATE CHARGES, AND ALL OTHER AMOUNTS PAYABLE TO THE HOLDER UNDER THE TERMS OF THIS AGREEMENT, INCLUDING COSTS OF SUIT AND REASONABLE ATTORNEYS' FEES INCURRED AS A RESULT OF, RELATED TO, OR IN CONNECTION WITH ANY DEFAULT UNDER THE AGREEMENT AND ANY EFFORTS TO COLLECT ANY AMOUNT DUE UNDER THE AGREEMENT OR ANY JUDGMENTS ENTERED THEREON. THE AUTHORITY AND POWER TO APPEAR FOR AND ENTER JUDGMENT AGAINST ANY OBLIGOR ON THIS AGREEMENT SHALL NOT BE EXHAUSTED BY ONE OR MORE EXERCISES THEREOF OR BY ANY IMPERFECT EXERCISE THEREOF; SUCH AUTHORITY MAY BE EXERCISED ON ONE OR MORE OCCASIONS OR FROM TIME TO TIME IN THE SAME OR DIFFERENT JURISDICTION AS OFTEN AS HOLDER SHALL DEEM NECESSARY AND DESIRABLE, FOR ALL OF WHICH THIS AGREEMENT SHALL BE SUFFICIENT WARRANT; IF ENFORCEMENT OF THIS AGREEMENT RESULTS IN HOLDER OBTAINING A MONEY JUDGMENT AGAINST ANY OBLIGOR ON THIS AGREEMENT, HOLDER'S RIGHT TO APPEAR AND CONFESS JUDGMENT FOR AMOUNTS DUE, INCLUDING THE PAYMENT AND REIMBURSEMENT OF REASONABLE ATTORNEYS' FEES AND COSTS ARISING AFTER THE ENTRY OF JUDGMENT (INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEYS' FEES AND COSTS INCURRED TO COLLECT THE JUDGMENT OR LIQUIDATE AND COLLECT ANY COLLATERAL PLEDGED IN CONNECTION WITH THIS AGREEMENT OR ANY OF THE OTHER GRANT DOCUMENTS) SHALL NOT BE EXTINGUISHED BY OR MERGED INTO ANY SUCH JUDGMENT BUT SHALL SURVIVE THE JUDGMENT AS A CLAIM AGAINST ANY SUCH OBLIGOR AND ANY SUCH COLLATERAL.**

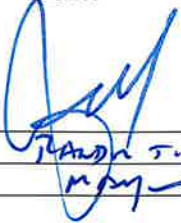
EACH OBLIGOR ON THIS AGREEMENT HEREBY WAIVES AND RELEASES, TO THE EXTENT PERMITTED BY APPLICABLE LAW, ALL PROCEDURAL ERRORS AND ALL RIGHTS OF EXEMPTION, APPEAL, STAY OF EXECUTION, INQUISITION, AND EXTENSION UPON ANY LEVY ON REAL ESTATE OR PERSONAL PROPERTY TO WHICH SUCH OBLIGOR MAY OTHERWISE BE ENTITLED UNDER THE LAWS OF THE UNITED STATES OF AMERICA OR OF ANY STATE OR POSSESSION OF THE UNITED STATES OF AMERICA NOW IN FORCE AND WHICH MAY HEREINAFTER BE ENACTED.

THIS SECTION 22 SHALL NOT APPLY TO LOCAL GOVERNMENTS OR JURISDICTIONS.

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IN WITNESS WHEREOF, the parties hereto have executed this document with the specific intention of creating a document under seal.

CITY OF SALISBURY

By:  (SEAL)
Name: Kari Snyder
Title: Assistant Secretary, Division of Neighborhood Revitalization

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT

By: _____
Name: Kari Snyder
Title: Assistant Secretary, Division of Neighborhood
Revitalization

Approved for form
and legal sufficiency

Assistant Attorney General

Exhibit A - Description of the Project Activities
Exhibit B - Project Budget
Exhibit C - Special Conditions
Exhibit D- (N/A)

EXHIBIT A**OPERATING ASSISTANCE GRANT PROGRAM****PROJECT ACTIVITIES**

As more fully described in Grantee's application for funds
dated March 20, 2026

GRANTEE: CITY OF SALISBURY

PROJECT ADDRESS: 125 North Division Street, Room 103, Salisbury, MD 21801

GRANT AMOUNT: \$26,000

USE OF FUNDS: Funds will be used for small business support, events / promotion / marketing, beautification / placemaking, and Destination Main Street printing.

OTHER CONTRIBUTION(S)**Source of Funds**

N/A

Amount

\$N/A

Value Derivation

N/A

EXHIBIT B
OPERATING ASSISTANCE GRANT PROGRAM
PROJECT BUDGET

USES OF FUNDS	DHCD	Grantee	Other	Name of Other Sources	TOTALS
Small Business Support	\$12,000	\$0	\$0	N/A	\$12,000
Events / Promotion / Marketing	\$8,000	\$0	\$0	N/A	\$8,000
Beautification / Placemaking	\$5,000	\$0	\$0	N/A	\$5,000
Destination Main Street Printing	\$1,000	\$0	\$0	N/A	\$1,000
TOTALS	\$26,000	\$0	\$0	N/A	\$26,000

EXHIBIT C

OPERATING ASSISTANCE GRANT PROGRAM

SPECIAL CONDITIONS

N/A



City of Salisbury

Memo

To: Nick Rice, City Administrator
From: Scott Roberts, Director of Arts, Business and Culture Department
Date: August 19, 2026
Subject: Ordinance for Accepting Funds From Maryland State Arts Council-Arts and Entertainment Grant FY27-1st Reading

The Department of Arts Business and Culture Department has been made aware that the Maryland Department of Housing and Community Development (DHCD) has awarded the city in the amount of \$26,000 for the purpose of downtown revitalization. We request that the city accept this grant, which would allow for revitalization initiatives to continue. There is no match requirement for these funds.

Attachment(s):

[Ord3025](#)

[Grant_Agreement 7.28.26.pdf](#)

ORDINANCE NO. 3025

AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MARYLAND STATE ARTS COUNCIL FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$16,500 AND TO APPROVE A BUDGET AMMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS FOR THE ARTS, BUSINESS AND CULTURE DEPARTMENT.

WHEREAS, the Maryland State Arts Council, a unit of the Maryland Department of Commerce, provides an operating grant opportunity to be awarded to organizations; and

WHEREAS, the purpose of the grant program is to create a nurturing climate for the arts in the State of Maryland; and

WHEREAS, The City of Salisbury submitted a grant application to the Maryland State Arts Council for the purpose of funding public art opportunities; and

WHEREAS, the Maryland State Arts Council has awarded the City funds in the amount of \$16,500; and

WHEREAS, the City of Salisbury must enter into a grant agreement with the Maryland State Arts Council to define, *inter alia*, how these funds will be used; and

WHEREAS, all funds shall be used to fund public art initiatives; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury.

WHEREAS, appropriations necessary to execute the purpose of this grant 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 enter into a grant agreement with the Maryland State Arts Council on behalf of the City of Salisbury, which is attached as **Exhibit A**, for the City's acceptance of grant funds in the amount of \$16,500.

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

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

(a) Increase MS State Arts Council Revenue Account No. 10500-424105-XXXXXX by \$16,500;
and

(b) Increase Operating Expense Account No. 10500-546006-XXXXX by \$16,500

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

37 **Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
38 of this Ordinance shall be deemed independent of all other provisions herein.

39 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
40 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
41 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
42 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
43 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

44 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
45 if such recitals were specifically set forth at length in this Section 5.

46 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

47 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
48 of Salisbury held on the 24 day of August, 2026 and thereafter, a statement of the substance of the
49 Ordinance having been published as required by law, in the meantime, was finally passed by the Council
50 of the City of Salisbury on the ____ day of _____, 2026.

51 **ATTEST:**

52 _____
53 **Julie A. English, City Clerk**

52 _____
53 **April R. Jackson, City Council President**

54
55
56 Approved by me, this ____ day of _____, 2026.

57
58
59 _____
60 **Randolph J. Taylor, Mayor**
61

July 28, 2026
Arts and Entertainment Operating Grant - Off-Year
2027-44444

MARYLAND STATE ARTS COUNCIL GRANT AGREEMENT

THIS GRANT AGREEMENT (this "Agreement") is made by and between the Maryland State Arts Council ("MSAC"), a unit of the Department of Commerce (the "Department"), a principal department of the State of Maryland ("State") (the "Grantor") and [City of Salisbury Maryland] ("Grantee") whose Federal Identification Number (FID) or Social Security Number (SSN) is 52-6000806.

RECITALS

Grantee has requested grant assistance from MSAC in order to undertake activities consistent with Title 4, Subtitle 5 of the Economic Development Article of the Annotated Code of Maryland, which authorizes MSAC to make grants to organizations and individual artists in order to create a nurturing climate for the arts in the State and to ensure that the role of the arts in the lives of citizens of the State shall continue to grow and play a significant part in their welfare and educational experience.

The General Assembly of Maryland has authorized the grant assistance through an appropriation in the annual state budget.

MSAC is also authorized to use certain funds received by various federal entities to help fund its grant assistance programs. All, some, or none of the funds disbursed through this Agreement may be from such federal funding. In the event that some of the funds disbursed through this Agreement contain federal funding, MSAC will make the Grantee aware and Grantee acknowledges and agrees that it may be required to adhere to certain rules, regulations, and/or guidelines imposed by the federal entity providing the federal funding.

MSAC has approved the award of grant funds to the Grantee, to be expended by Grantee in accordance with the terms and conditions of this Agreement.

IN CONSIDERATION of the foregoing and the mutual promises and covenants contained in this Agreement, MSAC and the Grantee agree as follows:

1. **Grant.** Subject to the continuing availability of funds, as determined by MSAC in its sole discretion, MSAC agrees to provide Grantee with funds in an amount not to exceed [\$16,500.00] (the "Grant Funds").

2. **Application.** Grantee's application for grant assistance (the "Application") is available to grantee in Smart Simple where Grantee submitted the application. Grantee can view the application by logging into Smart Simple (marylandarts.smartsimple.com) with their login and password. Grantee warrants and certifies that all of the information and representations contained in the Application are and remain true and complete in all material respects. **The Application is incorporated herein as Exhibit A.**

3. **Grant Guidelines.** Grantee acknowledges receipt of the FY 2027 Grant Guidelines and Information available on the MSAC website <http://www.msac.org> under the appropriate grant type, incorporated herein by reference, and agrees to abide by its terms and conditions.

4. **Use of Grant Funds:** Grantee will use Grant Funds in accordance with the activities described in Exhibit A (Grantee's Application) and in accordance with all applicable guidelines set forth in Provision 3 above. Grantee agrees that if activities described in Exhibit A need to be modified, Grantee will receive prior approval and written notification as set forth in Provision 22.

5. **Grantee shall not use any Grant Funds to make contributions:**

- (a) to any persons who hold, or are candidates for, elected office;
- (b) to any political party, organization, or action committee;
- (c) in connection with any political campaign or referendum; or
- (d) for lobbying activities.

6. **Term of Agreement.**

(a) This Agreement is effective upon execution by MSAC. Unless sooner terminated pursuant to Section 18 or 19 of this Agreement or by the mutual consent of Grantee and MSAC, this Agreement shall remain in effect until the final amounts of the Grant have been disbursed, all reports and records due by the Grantee have been received by MSAC, and there has been a final settlement and conclusion between MSAC and Grantee of all issues arising out of the Grant.

(b) Grantee agrees to deliver all reports and records to MSAC no later than the final report due date as communicated to the grantee in grant guidelines, if not sooner as provided otherwise herein or in any exhibit attached and incorporated herein, and that the final settlement and conclusion between MSAC and Grantee shall be no later than the final report due date. Failure by the Grantee to deliver all reports and records by the final report due date and failure by Grantee to provide MSAC with all necessary documents and information to reach final settlement and conclusion by the final report due date shall constitute a material breach by the Grantee of this Agreement.

(c) Grantee agrees that performance of activities under the grant will take place within the time period specified in the Grant Guidelines.

7. **Disbursement.**

(a) Except for Grantees notified pursuant to paragraph (b) below, up to 100% of the Grant shall be disbursed to Grantee in one payment upon full execution of the Agreement, provided that Grantee has submitted all applicable reports and documentation for prior years' grant(s) awarded as required by MSAC.

(b) MSAC reserves the right, at its sole and absolute discretion, to require additional reporting from Grantees experiencing significant organizational change and/or transition. For Grantees notified of additional reporting requirements, the Grant shall be disbursed in two payments. Up to seventy five

percent (75%) of the Grant shall be disbursed to Grantee upon full execution of the Agreement and submission and approval of all applicable report(s) and documentation from prior grants awarded as required by MSAC. The remaining Grant funds shall be disbursed to Grantee after submission and approval of satisfactory interim report(s), as specified and communicated to Grantee by MSAC.

(c) MSAC reserves the right, at its sole and absolute discretion, to withhold any disbursement of Grant Funds if MSAC reasonably believes that the Grantee is incapable of using the Grant Funds as provided for under this Agreement or that the Grantee is reasonably likely to become incapable of using the Grant Funds as provided for under this Agreement. In the event MSAC elects to withhold Grant Funds, Grantee shall not be entitled to receive the withheld Grant Funds until Grantee provides MSAC, at MSAC's sole and absolute discretion, all necessary and required assurances and affirmations, including any documentation required by MSAC, that Grantee will be able to use the Grant Funds in accordance with the terms and conditions of this Agreement. If Grantee does not provide or is otherwise incapable of providing the necessary and required assurances and affirmations, MSAC may elect to terminate this Agreement as provided for under Provision 19 below. Nothing in this provision shall act in any way to relieve the Grantee from any damages or losses caused by Grantee's incapability to use the Grant Funds as provided for under this Agreement, and Grantee shall remain fully liable for any such damages and losses caused by its incapability to use the Grant Funds as provided for in this Agreement.

(d) Grantee agrees to maintain adequate financial management and reporting systems, and internal controls.

(e) Grantee agrees to maintain backup documentation to support actual costs incurred during the term of this Agreement. Backup documentation consists of photocopies of payroll ledgers, travel vouchers, expense accounts, purchase orders, receipts, cancelled checks, and other like business paper and records.

(f) Grantee agrees to notify MSAC of delays in receipt of the grant disbursement prior to June 30, 2027. Availability of funds after the end of the State's fiscal year (June of each respective year) in which the Agreement is executed are not guaranteed.

8. Indirect Costs.

(a) If Grantee is a nonprofit entity under Section 501(c)(3), (4) or (6) of the Internal Revenue Code, Grant Funds may be applied to indirect costs in accordance with § 2-208 of the State Finance and Procurement Article, Annotated Code of Maryland.

(b) If Grantee opts to apply Grant Funds to indirect costs:

(i) the total amount of Grant Funds provided under this Grant Agreement will not be increased;

(ii) the costs to be paid with Grant Funds under this Agreement as described in Exhibit A of this Agreement will be reduced on a pro rata basis to reflect that certain indirect costs have been paid with Grant Funds; and

(iii) Grantee shall report any Grant Funds applied to indirect costs in funding requests and financial reports submitted to Commerce and shall provide the basis and documentation for the calculation of indirect costs in compliance with subsection (a) of this section.

9. Retention and Inspection of Records.

(a) Grantee agrees to retain records for a period of at least three (3) years which records shall be retained by Grantee for at least three (3) years after the termination of this Agreement. Grantee agrees that recipients of federal funds are subject to additional requirements.

(b) Grantee shall allow any duly authorized representative of MSAC, the Department, or the State to inspect and audit, at reasonable times, all records and documents of Grantee relating to this Grant.

10. Acknowledgement. Grantee shall acknowledge MSAC funding in all programs and promotional materials relating to the funded activities in the manner set forth in the Grant Recognition Guidelines, which can be viewed on the MSAC website, <https://msac.org/resources/recognizing-msac-grants>, incorporated herein by reference.

11. Reports. Grantee shall provide MSAC with reports or information in a form acceptable to the MSAC, as MSAC may from time to time require.

12. Unused Funds. Grantee shall repay to MSAC any disbursed Grant Funds not spent or obligated by Grantee on or before the date indicated in the appropriate grant program Guidelines set forth in Provision 3 above.

13. Fair Practices Certification. Grantee certifies that it prohibits, and covenants that it will continue to prohibit, discrimination on the basis of: (a) political or religious opinion or affiliation, marital status, race, color, creed, ancestry genetic information, or national origin; or (b) age, sex, sexual orientation, gender identification, or any otherwise unlawful use of characteristics, except when such characteristic constitutes a bona fide occupational qualification; or (c) the physical or mental handicap of a qualified handicapped individual. Upon the request of MSAC, Grantee will submit to MSAC information relating to its operations, with regard to political or religious opinion or affiliation, marital status, physical or mental handicap, race, color, creed, sex, age, gender identification, sexual orientation, genetic information, or national origin. Grantee agrees that if receiving federal funds, Grantee may be subject to additional certification requirements as mentioned in the grant guidelines.

14. Anti-Discrimination.

(a) Grantee shall operate under this Agreement so that no person, otherwise qualified, is denied employment, subcontract, or other benefits on the basis of race, color, religion, creed, age, sex, sexual orientation, gender identification, marital status, national origin, ancestry genetic information or any otherwise unlawful use of characteristics, or disability of a qualified individual with a disability unrelated in nature and extent so as to reasonably preclude the performance of the employment or contract, or the individual's refusal to submit to a genetic test or make available the results of a genetic test. Except in subcontracts for standard commercial supplies or raw materials, Grantee shall include a clause similar to this clause in all subcontracts. Grantee and each subcontractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause. Grantee shall not retaliate against any person for reporting instances of such discrimination.

(b) Grantee further covenants that it shall prohibit its contractors from engaging in such discrimination in the hiring of subcontractors to carry out any portion of the project funded by proceeds of the Grant.

15. Legal Compliance.

(a) Grantee covenants that it shall comply with all applicable federal, State, and local laws and regulations. Grantee acknowledges and agrees that it is responsible for knowing and understanding all

applicable federal, State, and local laws and regulations.

(b) When applicable, Grantee will have written conflict of interest policies and procedures, and policies and procedures related to disclosure of fraud or bribery violations and other compliance policies required by applicable federal, State, and local laws and regulations.

16. Grantee's Warranties & Certifications. Grantee certifies to MSAC that:

(a) Grantee, if a corporation or other form of limited liability entity, is duly organized and validly existing under Maryland law, and has all requisite power and authority to enter into this Agreement. The person whose signature is affixed to this Agreement has been duly granted authority to sign this Agreement.

(b) This Agreement has been duly authorized, executed and delivered by Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and Agreement of Grantee.

(c) Grantee represents that Grantee is not in arrears with response to the payment of any funds due and owing the State of Maryland, or any department or unit thereof, including, but not limited to, the payment of taxes and employee benefits, and that it shall not become so arrears during the term of this Agreement.

(d) Grantee, if a corporation or other form of limited liability entity, is in Good Standing as a business with the Maryland State Department of Assessment and Taxation and that Grantee shall remain in Good Standing with the Maryland State Department of Assessment and Taxation throughout the term of this Agreement.

(e) Grantee, if a corporation or other form of limited liability entity, represents and warrants that it currently possesses and maintains an established, effective financial management system and internal controls.

(f) Grantee, if a corporation or other form of limited liability entity, carries the necessary liability insurance to cover losses and damages resulting from the activities in Exhibit A.

(g) Neither Grantee, nor any of its officers or directors, nor any employee of Grantee involved in obtaining contracts with or grants from the State or any subdivision of the State, has engaged in collusion with respect to Grantee's application for the Grant or this Agreement or has been convicted of bribery, attempted bribery, or conspiracy to bribe under the laws of any state or the United States.

(h) Grantee has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee or agent working for Grantee, to solicit or secure the Grant or the Agreement, and Grantee has not paid or agreed to pay any such entity any fee or other consideration contingent on the making of the Grant or the Agreement.

(i) Neither Grantee, nor any of its officers or directors, nor any person substantially involved in the contracting or fund-raising activities of the Grantee, is currently suspended or debarred from contracting with the State or any other public entity or subject to debarment under federal and state law and regulations.

If any of the above representations, certifications or warranties prove to be false or misleading, or if

Grantee fails to abide by the above certifications and warranties at any time during the term of this Agreement, Grantee shall be considered in default of this Agreement pursuant to Provision 18 of this Agreement and Grantor shall be entitled to exercise any remedy or right available to it pursuant to Provision 18 of this Agreement.

17. Drug and Alcohol-Free Workplace. Grantee warrants that Grantee shall comply with the State's policy concerning drug and alcohol-free workplaces as set forth in COMAR 01.01.1989.18.

18. Default, Repayment and Remedies.

(a) A default shall consist of (i) any use of Grant Funds for any purposes other than authorized by this Agreement; or (ii) any breach of any covenant, agreement, provision, representation or warranty of Grantee which was made in this Agreement.

(b) Upon the occurrence of any default, MSAC immediately may suspend Grantee's authority to receive any undisbursed Grant funds by written notice at any time to Grantee.

(c) Upon the occurrence of any default, Grantee shall have 30 days from the date MSAC's notice is postmarked to cure the default. After the conclusion of this 30-day period, if Grantee has not cured the default to the satisfaction of MSAC, MSAC may terminate this Agreement. In the event of termination:

(i) Grantee's authority to request a disbursement shall cease and Grantee shall have no right, title or interest in or to any of the Grant funds not disbursed;

(ii) MSAC may immediately demand repayment of all or any portion of the Grant Funds which have been disbursed; and

(iii) MSAC's remedies of withholding disbursement and of obtaining repayment as described in Section 18(c) (i) and (ii) above may be exercised contemporaneously with remedies pursuant to Section 18(d) below, and all of such rights shall survive any termination of this Agreement.

(d) If a default occurs, MSAC may at any time proceed to protect and enforce all rights available to MSAC, by suit in equity, action at law, or by any other appropriate proceedings.

19. Termination Prior to Expiration of Term Period MSAC, the Department, and/or the State reserves the right to terminate this Agreement by written notice to Grantee if (a) the purpose of the Agreement can no longer be fulfilled or met and/or (b) it's in the best interest of the Grantor and/or the State to terminate. If so terminated, the Grantor shall disburse Grant Funds to cover the eligible expenses, as determined in its sole discretion by MSAC, incurred by Grantee prior to termination. Grantee shall return to Grantor any Grant Funds, in excess of permitted eligible expenses, received prior to such termination.

20. Indemnification. Grantee releases MSAC, the Department, the State, and its employees or agents from, agrees that MSAC, the Department, the State, and its employees or agents shall not have any liability for, and agrees to protect, indemnify and save harmless MSAC, the Department, the State, and its employees or agents from and against any and all liabilities, suits, actions, claims, demands, losses, expenses and costs of every kind and nature incurred by, or asserted or imposed against, all or any of them, as a result of or in connection with the Grant. All money expended as a result of such liabilities, suits, actions, claims, demands, losses, expenses or costs, together with interest at a rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of Grantee and shall be immediately and without notice due and payable by Grantee to MSAC, the Department, the State, and/or

its employees or agents, as their interests may appear. If Grantee is a government agency of the State of Maryland, any and all such indemnification obligations of Grantee are conditioned upon the availability of appropriations for use by Grantee at the time such indemnification obligations arise; further, if Grantee is a government agency of the State of Maryland, any and all such indemnification obligations of Grantee are limited to the extent of the State of Maryland's statutory waiver of its sovereign immunity.

21. **Notices.** All notices, requests, approvals and consents of any kind made pursuant to this Agreement shall be in writing. Any such communication, unless otherwise specified, shall be deemed effective as of the date it is postmarked, postage prepaid, addressed as follows:

(a) Communications to MSAC shall be mailed to: Maryland State Arts Council, 401 E. Pratt Street, Suite 1400 Baltimore, MD 21202 or emailed.

(b) Communications to Grantee shall be mailed to Grantee or emailed as noted in Grant Guidelines.

22. **Amendment.** This Agreement, or any part hereof, may be amended from time to time only by a written instrument executed by both parties, or in the case of a modification of Section 4, by action of MSAC.

23. **Assignment.** Grantee may neither assign all or any of the benefits of, nor delegate all or any of the duties imposed upon Grantee by this Agreement, without the prior written approval of MSAC.

24. **Governing Law.** The law of Maryland, excluding Maryland choice of forum rules, shall govern the interpretation and enforcement of this Agreement. The parties covenant and agree that venue of any dispute or controversy arising out of this Agreement or the performance or nonperformance of the parties' obligations under this Agreement shall lie exclusively in the courts of the State of Maryland.

25. **Setoff.** The State has the right to set off and apply Grant Funds against amounts that Grantee may owe the State as an unpaid liability, without notice and without resort to any judicial proceeding. Should this occur, it will affect the amount of Grant Funds received by Grantee.

26. **Disclosures and Public Information Act.** All information submitted to MSAC is subject to the Maryland Public Information Act, Md. Code Ann., General Provisions §§ 4-101 to 4-601, ("PIA"). Personal Identifiable Information (PII) is exempt from disclosure under the PIA and will be redacted. If a Grantee believes information other than PII is confidential and therefore should be exempt from disclosure under the PIA, the Grantee should contact MSAC staff. Upon request for information from a third party, MSAC is required to make an independent determination whether the information must be disclosed under the PIA. Designating information as confidential does not guarantee that it will be exempt from disclosure. The Grantee understands and agrees that MSAC may use information about the Grantee and the activities in Exhibit A for reporting and marketing purposes.

27. **Non-waiver of Rights.** No failure on the part of the State or MSAC to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of any such right preclude the State or MSAC from further exercising that or any other right. The remedies provided under the Agreement are cumulative and not exclusive of any remedies provided by law.

28. **Entire Agreement; Counterparts; Signatures.** This Agreement, together with any exhibits, documents, and/or electronic or internet-based documents, incorporated by reference, represents the complete and final understanding of the parties. No other understanding, oral or written, regarding the subject matter of

this Agreement, may be deemed to exist or to bind the parties at the time of execution. This Agreement may be executed in any number of duplicate originals or counterparts, each of which such duplicate originals or counterparts shall be deemed to be an original and all taken together shall constitute one and the same instrument. Signatures provided by facsimile or other electronic means, for example, and not by way of limitation, in Adobe .PDF sent by electronic mail, shall be deemed to be original signatures.

THIS AGREEMENT, together with the documents incorporated herein by reference, represents the complete, total and final understanding of the parties and no other understanding or representations, oral or written, regarding the subject matter of this Agreement, shall be deemed to exist or to bind the parties hereto at the time of execution.

THIS FORM WAS APPROVED FOR FORM AND LEGAL SUFFICIENCY BY AN ASSISTANT ATTORNEY GENERAL IN JULY 2026.

GRANTEE

Signature of Grantee:

Derek Jarmon, Economic Development Manager

AJ Romblad, Witness

Date: July 28 2026

MARYLAND STATE ARTS COUNCIL

Signature of MSAC Grants Director:

Catherine Teixeira, Grants Director
2026-07-27

Signature of MSAC Staff:

Steven Skerritt-Davis, Executive Director
2026-07-28



City of Salisbury

Memo

To: Nick Rice, City Administrator
From: Muir Boda, Director, HCDD
Date: August 6, 2026
Subject: CFES Workforce Development Grant 2026 - 1st Reading

The City of Salisbury's Housing and Community Development Department employed nine youth for the 2026 Summer Youth Employment Program, all of whom were students in the Wicomico County Public School System. Over the eight-week period, these students gained practical job experience, exposure to career pathways, and meaningful insight into municipal operations.

The Community Foundation of the Eastern Shore awarded the City of Salisbury a Workforce Development Grant in the amount of \$7,500. These funds were used to cover salary expenses for participating students, helping to ensure continued access to valuable summer employment opportunities for local youth.

Attachment(s):
[Ord3026](#)

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AN ORDINANCE OF THE CITY OF SALISBURY TO ACCEPT GRANT FUNDS FROM THE COMMUNITY FOUNDATION OF THE EASTERN SHORE IN THE AMOUNT OF \$7,500 FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM.

WHEREAS, the City of Salisbury employs high school students for an eight (8) week program from June 22, 2026, to August 14, 2026;

WHEREAS, the Community Foundation of the Eastern Shore (CFES) has awarded the City of Salisbury (the “City”) a Workforce Development Grant in the amount of \$7,500;

WHEREAS, the City's Housing and Community Development Department will use the funds to cover the salary costs of student employees for the duration of the summer program; and

WHEREAS, appropriations necessary to execute the purpose of this grant 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 establish a grant account for the Community Foundation of the Eastern Shore (CFES), on behalf of the City of Salisbury, for the City's acceptance of the Workforce Development grant monies in the amount of \$7,500.

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

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

- 1) Increase CFES Revenue Account 10500-426100-xxxxx by \$7,500
- 2) Increase Part-Time Salaries Account 10500-501006-xxxxx by \$6,645
- 3) Increase FICA Account 10500-502010-xxxxx by \$508
- 4) Increase Workers Comp Account 10500-502070-xxxxx by \$347

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

Section 3. 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 4. 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 5. 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 5.

Section 6. This Ordinance shall take effect from and after the date of its final passage.

47 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
48 Salisbury held on the 24 day of August, 2026 and thereafter, a statement of the substance of the Ordinance
49 having been published as required by law, in the meantime, was finally passed by the Council of the City
50 of Salisbury on the _____ day of _____, 2026.

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54 **ATTEST:**
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58 _____
59 **Julie A. English, City Clerk**

_____ **April R. Jackson, City Council President**

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63 Approved by me, this _____ day of _____, 2026.
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67 _____
68 **Randolph J. Taylor, Mayor**
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