

ORDINANCE No. 2086

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY TO AUTHORIZE AND EMPOWER CITY OF SALISBURY TO ISSUE AND SELL FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000.00), EACH SERIES OF BONDS TO BE ISSUED AND SOLD AND THE PROCEEDS THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS INCURRED IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, REHABILITATION, UPGRADING, INSTALLATION, IMPROVEMENT AND EQUIPPING OF A SEWAGE LIFT STATION AND RELATED FORCE MAINS, WATER MAINS AND SEWER LINES AND OTHER ASSOCIATED IMPROVEMENTS AND APPURTENANCES, TOGETHER WITH RELATED COSTS AND COSTS OF ISSUANCE AS PROVIDED HEREIN; DETERMINING THAT ANY SUCH SERIES OF BONDS BE SOLD TO THE MARYLAND WATER QUALITY FINANCING ADMINISTRATION BY PRIVATE SALE, WITHOUT PUBLIC BIDDING; AUTHORIZING THE APPROVAL OF ONE OR MORE LOAN AGREEMENTS WITH THE MARYLAND WATER QUALITY FINANCING ADMINISTRATION PURSUANT TO A SUBSEQUENT RESOLUTION OR RESOLUTIONS; PLEDGING ANY MONEYS THAT THE CITY IS ENTITLED TO RECEIVE FROM THE STATE OF MARYLAND, INCLUDING THE CITY'S SHARE OF THE STATE INCOME TAX, TO SECURE ITS OBLIGATIONS UNDER THE LOAN AGREEMENTS; AUTHORIZING THE ADOPTION OF A SUBSEQUENT RESOLUTION OR RESOLUTIONS TO DETERMINE AND PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT AND PREPAYMENT OF AND FOR ANY SERIES OF BONDS CONTEMPLATED HEREBY; AUTHORIZING AND DIRECTING THE PAYMENT OF ANY FEES OR COSTS PROVIDED FOR IN THE LOAN AGREEMENTS WHICH ARE NOT PAYABLE FROM BOND PROCEEDS AND PROVIDING THAT THE CITY'S OBLIGATION TO PAY SUCH AMOUNTS SHALL BE ABSOLUTE AND UNCONDITIONAL AS PROVIDED IN THE LOAN AGREEMENTS; PROVIDING THAT THE CITY SHALL USE AND APPLY PROCEEDS OF ANY SUCH SERIES OF BONDS ONLY AS PERMITTED BY THE LOAN AGREEMENTS, THE CLEAN WATER ACT (AS DEFINED IN THE LOAN AGREEMENTS) AND THE ACT (AS DEFINED IN THE LOAN AGREEMENTS); AUTHORIZING THE ISSUANCE AND SALE FROM TIME TO TIME OF ONE OR MORE SERIES OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000.00), PRIOR TO AND IN ANTICIPATION OF ANY SERIES OF BONDS, IN ORDER TO FINANCE OR REIMBURSE PROJECT COSTS ON AN INTERIM BASIS; AUTHORIZING THE ISSUANCE AND SALE FROM TIME TO TIME OF ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS IN ORDER TO REFUND ANY OF THE BONDS ISSUED PURSUANT TO THE AUTHORITY OF THIS ORDINANCE AND TO PAY RELATED COSTS, PROVIDED THAT, THE AGGREGATE PRINCIPAL AMOUNT OF ANY SUCH ISSUE OF REFUNDING BONDS DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT (130%) OF THE AGGREGATE PRINCIPAL AMOUNT OF THE BONDS REFUNDED THEREFROM; AUTHORIZING THE ADOPTION OF A SUBSEQUENT RESOLUTION OR RESOLUTIONS TO MAKE ANY FURTHER DETERMINATIONS DEEMED NECESSARY OR DESIRABLE IN CONNECTION WITH THE ISSUANCE AND SALE OF ANY SUCH SERIES OF BOND

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ANTICIPATION NOTES OR REFUNDING BONDS; PROVIDING THAT THE PRINCIPAL OF AND INTEREST ON ANY SUCH SERIES OF BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS WILL BE PAYABLE IN THE FIRST INSTANCE FROM REVENUES RECEIVED BY THE CITY IN CONNECTION WITH THE OPERATION OF THE WASTEWATER SYSTEM SERVING THE CITY AND SURROUNDING AREAS (AND TO THE EXTENT REQUIRED BY THE PURCHASER OF ANY SUCH SERIES OF OBLIGATIONS, FROM REVENUES RECEIVED BY THE CITY IN CONNECTION WITH THE OPERATION OF THE WATER SUPPLY SYSTEM SERVING THE CITY AND SURROUNDING AREAS); PROVIDING FOR THE LEVY OF AD VALOREM TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY'S CORPORATE LIMITS SUBJECT TO ASSESSMENT FOR UNLIMITED MUNICIPAL TAXATION TO PAY THE PRINCIPAL OF AND INTEREST ON ANY SUCH SERIES OF OBLIGATIONS IN EACH FISCAL YEAR; PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER OF THE CITY TO THE PROMPT PAYMENT OF THE PRINCIPAL OF AND INTEREST ON ANY SUCH SERIES OF OBLIGATIONS; PROVIDING THAT THE PRINCIPAL OF AND INTEREST ON ANY SUCH SERIES OF OBLIGATIONS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR THAT PURPOSE; AUTHORIZING AND DIRECTING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ANY AND ALL ACTION NECESSARY TO COMPLETE AND CLOSE THE ISSUANCE, SALE AND DELIVERY OF ANY SUCH SERIES OF BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS; PROVIDING THAT THIS TITLE SHALL BE DEEMED A STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE FOR ALL PURPOSES; AND OTHERWISE GENERALLY RELATING TO THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF AND FOR ANY SUCH SERIES OF BONDS, BOND ANTICIPATION NOTES OR REFUNDING BONDS.

RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the "City"), is authorized and empowered by Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Environment Article"), Sections 31 to 37, inclusive, of Article 23A 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 published in Municipal Charters of Maryland, Volume 7, 2008 Replacement Edition, as replaced, supplemented or amended (the "Charter"), to borrow money for any proper public purpose in connection with the wastewater system serving the City and surrounding areas and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, the City has determined to rehabilitate and upgrade a sewage lift station and related force mains and sewer lines in order to meet Maryland Department of the Environment regulations and, in connection therewith, to borrow money to finance, reimburse or refinance costs incurred in connection with the acquisition, construction, rehabilitation, upgrading, installation, improvement and equipping of such sewage lift station and related force mains, water mains and sewer lines and other associated improvements and appurtenances including, without limitation, SCADA equipment, gas mains, demolition activities and necessary paving

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and repaving, together with the acquisition of necessary property rights and equipment, related site improvements and utilities, construction-related planning, design and engineering costs, related financial and legal expenses and costs of issuance, and to evidence this borrowing by the issuance and sale of one or more series of its general obligation bonds; and

WHEREAS, the Maryland Water Quality Financing Administration (the "Administration") has indicated that it will be able to loan the City moneys from time to time in an aggregate principal amount not to exceed Three Million Dollars (\$3,000,000.00) to pay project costs and, accordingly, the City shall sell one or more series of the bonds authorized hereby to the Administration by private sale, without public bidding, in order to evidence any such loan or loans; and

WHEREAS, the Administration has advised that it currently anticipates making a single loan to the City for project purposes which will be evidenced by the issuance of a series of bonds that will bear interest at the rate of zero percent (0%) per annum; however, the final details of any such series of bonds authorized hereby shall be determined by resolution as provided herein; and

WHEREAS, in connection with the issuance and sale of any series of the general obligation bonds contemplated hereby, and pursuant to the Environment Article, the City will enter into one or more loan agreements with the Administration; and

WHEREAS, the City, as authorized by the Environment Article, has determined to pledge any moneys that the City is entitled to receive from the State of Maryland, including the City's share of the State income tax, to secure its obligations under any loan agreements with the Administration; and

WHEREAS, prior to issuing any such series of bonds to the Administration, the City may need to obtain interim financing in order to finance project costs on a timely basis through the issuance of one or more series of its general obligation bond anticipation notes pursuant to the authority of Section 12 of Article 31 of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Bond Anticipation Note Enabling Act"), and the Charter; and

WHEREAS, subsequent to the issuance to the Administration of any series of bonds provided for herein, the City may desire to refund or advance refund all or a portion of such series of bonds pursuant to the authority of Section 24 of Article 31 of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Refunding Act"); and

WHEREAS, the City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any such series of bonds, bond anticipation notes or refunding bonds authorized hereby and the City expects to pay the principal of and interest on any such series of obligations in the first instance from revenues received in connection with the operation of the wastewater system serving the City and surrounding areas, including charges for use of or connection to the system; and

WHEREAS, it is intended that any series of bonds, bond anticipation notes or refunding bonds issued pursuant to the authority of this Ordinance and other applicable Maryland law may be

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issued as one or more bonds or notes and any of such bonds or notes may be issued in the form of a draw-down and/or installment bond or note; and

WHEREAS, the City has determined to issue any series of bonds, bond anticipation notes or refunding bonds authorized hereby in accordance with the terms and conditions provided for in a subsequent resolution or resolutions to be adopted by the Council pursuant to this Ordinance.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that pursuant to the authority of the Environment Article, the Enabling Act and the Charter, the City hereby determines to borrow money and incur indebtedness for the public purpose of financing, reimbursing or refinancing costs incurred in connection with the acquisition, construction, rehabilitation, upgrading, installation, improvement and equipping of a sewage lift station and related force mains, water mains and sewer lines and other associated improvements and appurtenances including, without limitation, SCADA equipment, gas mains, demolition activities and necessary paving and repaving, together with the acquisition of necessary property rights and equipment, related site and utility improvements, construction-related planning, design and engineering costs, related financial and legal expenses and costs of issuance (collectively, the "Project"). The total cost of the Project not otherwise payable from other sources is not expected to exceed Three Million Dollars (\$3,000,000.00). In the event the City issues any BANs (as defined in Section 11), proceeds of any Bonds (as defined in Section 2) may also be applied to prepay or pay principal, premium and/or interest on such BANs, and any such expenditure shall be considered an expenditure for Project purposes.

SECTION 2. BE IT FURTHER ORDAINED that to evidence the borrowing and indebtedness authorized in Section 1 of this Ordinance, the City, acting pursuant to the authority of the Environment Article, the Enabling Act and the Charter, hereby determines to issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bonds in an aggregate principal amount not to exceed Three Million Dollars (\$3,000,000.00) (individually, a "Bond" and, collectively, the "Bonds"). Each series of the Bond shall be designated "City of Salisbury Water Quality Bond" and by series or by such other designation or designations as the Council may determine in the Resolution (as defined in Section 8). Each such series may consist of one or more bonds and any Bond may be issued in installment form and/or draw-down form.

SECTION 3. BE IT FURTHER ORDAINED that pursuant to the authority of the Environment Article, the Enabling Act and the Charter, the City hereby determines to sell each series of the Bonds to the Administration by private sale, without public bidding, due to the benefit of negotiated flexible terms and a beneficial interest rate or rates.

SECTION 4. BE IT FURTHER ORDAINED that pursuant to the authority of the Environment Article, the Enabling Act and the Charter, the City hereby determines and provides that each series of the Bonds shall be issued and sold for a price which may be at, above or below the par value of such series of the Bonds, as provided in the Resolution.

SECTION 5. BE IT FURTHER ORDAINED that the proceeds of each series of the Bonds shall be used and applied by the City exclusively and solely for the public purposes described in Section 1 of this Ordinance, unless a supplemental ordinance is enacted by the Council to provide

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for the use and application of such proceeds for some other proper public purpose authorized by the Environment Article, the Enabling Act or the Charter.

SECTION 6. BE IT FURTHER ORDAINED that as required by the Environment Article, the City is hereby authorized to enter into one or more loan agreements with the Administration (each, a "Loan Agreement" and collectively, the "Loan Agreements") in connection with any series of the Bonds. The final or substantially final form of each Loan Agreement shall be approved by the Council pursuant to the Resolution and the execution and delivery of each Loan Agreement shall be authorized by the Council pursuant to the Resolution.

SECTION 7. BE IT FURTHER ORDAINED that as authorized by Section 9-1606(d) of the Environment Article, the City hereby pledges any moneys that the City is entitled to receive from the State of Maryland, including the City's share of the State income tax, to secure its obligations under the Loan Agreements. Such pledge shall be evidenced and detailed in each Loan Agreement.

SECTION 8. BE IT FURTHER ORDAINED that pursuant to the authority of the Enabling Act and this Ordinance, the Council, prior to the issuance, sale and delivery of any series of the Bonds, shall adopt a subsequent resolution or resolutions (in each such case, the "Resolution") specifying, prescribing, determining, providing for and approving such matters, details, forms (including, without limitation, the complete form of the Bonds of such series), documents or procedures as may be required by the Environment Article, the Enabling Act, the Charter or this Ordinance or as the Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment or prepayment of or for such series of the Bonds. The Resolution shall set forth, approve or provide for the approval of, among other things, the aggregate principal amount of such series of the Bonds; the principal installment or installments of, or the method of determining the principal installment or installments of, such series of the Bonds; the rate or rates of interest, or the method of determining the rate or rates of interest, which may be fixed or variable, payable on such series of the Bonds (and which may include a rate of zero percent (0.0%)); provisions relating to the prepayment of such series of the Bonds; the procedures for the sale of such series of the Bonds by private sale, without public bidding; provisions relating to the principal forgiveness of such series of the Bonds, if applicable; and all other terms and conditions pursuant to which such series of the Bonds will be issued, sold and delivered. Any Resolution may specify, prescribe, determine, provide for and approve the details required by this Section 8 for more than one series of the Bonds.

SECTION 9. BE IT FURTHER ORDAINED that the City is hereby authorized and directed to pay any fees or costs provided for in any Loan Agreement which are not payable from Bond proceeds, including, without limitation, any administrative fees and any ongoing fees or costs. The obligation of the City to pay such amounts shall be absolute and unconditional as further provided in any Loan Agreement.

SECTION 10. BE IT FURTHER ORDAINED that notwithstanding anything to the contrary contained in this Ordinance, the City shall use and apply proceeds of each series of the Bonds only as permitted by the related Loan Agreement, the Clean Water Act (as defined in such Loan Agreement) and the Act (as defined in such Loan Agreement).

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SECTION 11. BE IT FURTHER ORDAINED that pursuant to the authority of the Bond Anticipation Note Enabling Act and the Charter, the City may issue and sell from time to time, upon its full faith and credit, one or more series of its general obligation bond anticipation notes in an aggregate principal amount not to exceed Three Million Dollars (\$3,000,000.00) (collectively, the "BANs") prior to and in anticipation of the sale of any series of the Bonds in order to finance or reimburse costs of the Project on an interim basis, including capitalized interest on such series of the BANs. Any such series of the BANs may consist of one or more notes and any note may be issued in installment and/or draw-down form. Prior to the issuance, sale and delivery of any series of the BANs, the Council shall adopt a subsequent resolution or resolutions pursuant to the authority of the Bond Anticipation Note Enabling Act, the Charter and this Ordinance authorizing such series of the BANs and specifying, prescribing, determining, providing for and approving such matters, details, forms, documents or procedures as may be authorized or required by applicable law. Unless the Council determines otherwise in a subsequent resolution or resolutions providing for any series of the BANs, such series of the BANs shall be sold at private sale, without advertisement or publication of notice of sale or solicitation of competitive bids, due to the ability to time the market, negotiate flexible terms and thereby achieve a beneficial rate or rates by undertaking a private (negotiated) sale.

SECTION 12. BE IT FURTHER ORDAINED that pursuant to the authority of the Refunding Act and the Charter, the City is hereby authorized and empowered to issue and sell from time to time, upon its full faith and credit, one or more series of general obligation bonds (collectively, the "Refunding Bonds") for the purpose of refunding or advance refunding any of the Bonds issued pursuant to the authority of this Ordinance then outstanding, including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption, purchase or maturity of the Bonds to be refunded, and paying costs and expenses in connection with the issuance, sale and delivery of such series of the Refunding Bonds, and, to the extent determined by the Council in a subsequent resolution or resolutions, interest on such series of the Refunding Bonds, for the public purpose of realizing savings to the City in the aggregate cost of debt service on either a direct comparison, present value or other basis or in order to accomplish any debt restructuring that is permitted by applicable law; provided that, the aggregate principal amount of any such issue of the Refunding Bonds may not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Bonds refunded therefrom. Any such series of the Refunding Bonds may consist of one or more bonds and any bond may be issued in installment or draw-down form. Prior to the issuance, sale and delivery of any series of the Refunding Bonds, the Council shall adopt a subsequent resolution or resolutions authorizing such series of the Refunding Bonds and specifying, prescribing, determining, providing for and approving such matters, details, forms, documents or procedures as may be authorized or required by applicable law. Unless the Council determines otherwise in a subsequent resolution or resolutions providing for any series of the Refunding Bonds, such series of the Refunding Bonds shall be sold at private sale, without advertisement or publication of notice of sale or solicitation of competitive bids, due to the ability to time the market, negotiate flexible terms and thereby achieve a beneficial rate or rates by undertaking a private (negotiated) sale.

SECTION 13. BE IT FURTHER ORDAINED that the Council is hereby authorized, pursuant to a subsequent resolution or resolutions, to make any further determinations or approvals

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or provide for any matters or actions deemed necessary or desirable in connection with the issuance of any series of the BANs or the Refunding Bonds authorized hereby, including, without limitation, (i) any determination authorized by the Bond Anticipation Note Enabling Act or the Refunding Act, as applicable, (ii) to commit or provide for the commitment of the City to pay to the purchaser or purchasers of any series of the BANs or the Refunding Bonds (A) any commitment fee or similar fee and any legal costs in connection with such purchaser's or purchasers' agreement to purchase such series of the BANs or the Refunding Bonds and/or (B) any breakage compensation or other amount that may be determined to be due to such purchaser or purchasers in the event the City fails to deliver such series of the BANs or the Refunding Bonds and, in connection therewith, to approve or provide for the approval of, and the execution and delivery of, any agreement relating to such payment or payments (which such agreement may, but shall not be required to be, contained within any purchase or similar agreement for such series of the BANs or the Refunding Bonds), and (iii) to approve or provide for any offering documents, credit enhancement, liquidity enhancement, ratings, or continuing disclosure undertakings relating to such series of the BANs or the Refunding Bonds.

SECTION 14. BE IT FURTHER ORDAINED that (a) the principal of and interest on each series of the Bonds, the BANs or the Refunding Bonds authorized hereby (each, a series of the "Obligations") will be payable in the first instance from revenues received by the City in connection with the operation of the wastewater system serving the City and surrounding areas, including charges for the use of or connection to the system and, to the extent required by the purchaser of such series of the Obligations, from revenues received by the City in connection with the operation of the water supply system serving the City and surrounding areas, including charges for the use of or connection to such system. (Any such identification of water supply system revenues as a source of payment for the applicable series of the Obligations shall be provided for in the Resolution, any resolution relating to BANs or Refunding Bonds or a Loan Agreement, as applicable.). In the event such moneys are insufficient in any fiscal year to provide for the prompt payment, when due, of the principal of and interest on such series of the Obligations, the City shall levy or cause to be levied, for each and every fiscal year during which such series of the Obligations may be outstanding, ad valorem taxes upon all real and tangible personal property within its corporate limits subject to assessment for unlimited municipal taxation in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on such series of the Obligations payable in each such fiscal year and, in the event the proceeds from the collection of the taxes so levied may prove inadequate for such purposes in any fiscal year, additional taxes shall be levied in the subsequent fiscal year to make up any deficiency.

(b) The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the prompt payment of the principal of and interest on each series of the Obligations as and when the same are payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of such series of the Obligations. The City hereby covenants with the registered owner of each Obligation to take any action that may be appropriate from time to time during the period that such Obligation remains outstanding and unpaid to provide the funds necessary to pay promptly the principal and interest due thereon.

(c) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on any series of the Obligations from the proceeds of the sale of

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any other obligations of the City (including, without limitation, with respect to the BANs, from the proceeds of the Bonds authorized hereby and, with respect to the Bonds, from the proceeds of the Refunding Bonds authorized hereby) or from any other funds legally available for that purpose. The City may apply to the payment of the principal of or interest on any series of the Obligations any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted or paid to the City for the purpose of assisting the City in accomplishing the type of project or projects which such series of the Obligations are issued to finance or refinance, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be levied may be reduced proportionately.

SECTION 15. BE IT FURTHER ORDAINED that the Mayor, the City Administrator, the Director of Internal Services, the City Clerk and all other appropriate officials and employees of the City are hereby authorized and directed to take any and all action necessary to complete and close the sale, issuance and delivery of any series of the Bonds, the BANs or the Refunding Bonds authorized hereby and to execute and deliver all documents, certificates and instruments necessary or appropriate in connection therewith.

SECTION 16. BE IT FURTHER ORDAINED that the title of this Ordinance shall be deemed to be, and is, a statement of the substance of this Ordinance for publication and all other purposes.

SECTION 17. BE IT FURTHER ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council in accordance with the provisions of Section SC2-12 of the Charter. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

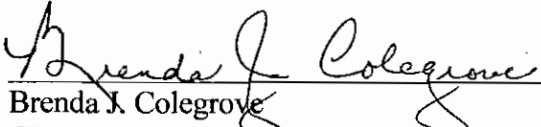
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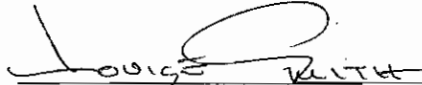


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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 24<sup>th</sup> day of August, 2009, and thereafter, a statement of the substance of this Ordinance having been published as required by law, was finally passed by the Council as introduced on the 28<sup>th</sup> day of September, 2009.

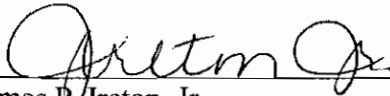
ATTEST:

  
Brenda J. Colegrove  
CITY CLERK

  
Louise Smith  
PRESIDENT, City Council

Approved by me this 30<sup>th</sup> day of

September, 2009.

  
James P. Ireton, Jr.  
MAYOR, City of Salisbury

#124309;58111.014

# Memo

**To:** John R. Pick, City Administrator  
**From:** Pamela B. Oland, Director of Internal Services  
**Date:** August 18, 2009  
**Re:** Naylor Mill Road Regional Lift Station Loan

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Attached please find a bond ordinance that authorizes the City to issue bonds or a series of bonds to build a regional lift station off of Naylor Mill Road. The ordinance also authorizes the City to issue the bonds through loan agreements with the Maryland Water Quality Financing Administration. The authorized amount is larger (\$3,000,000) than the current award letters (\$1,211,800) as the State has indicated that they may offer additional funds, if the bids for the projects are larger than the current loan amount. The original loan amount would be at a 0% interest rate and is awarded through the State of Maryland's use of Federal Stimulus Funds. This ordinance was created by our bond counsel, Lindsey Rader of Funk & Bolton. This ordinance is the first step in receiving the stimulus loans that have been awarded to the City of Salisbury. If you have any questions, please let me know.