

CHARTER AMENDMENT RESOLUTION NO. 2015-2

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND, AMENDING THE CITY OF SALISBURY CHARTER SECTION SC5-1 (ARTICLE V GENERAL POWERS) FOR THE FOLLOWING REASONS: TO ALLOW FOR CONTRACTS FOR THE LIGHTING OF THE CITY BY MEANS DEEMED PROPER AND FOR CONTRACTS FOR WATER USE FOR PERIODS NO LONGER THAN TWENTY (20) YEARS INSTEAD OF THREE (3) YEARS.

WHEREAS, Section SC5-1 of the City of Salisbury Charter restricts the period that the City may contract for lighting of the City or part thereof and for water for use at fires and for other city purposes to no longer than three (3) years; and

WHEREAS, the City of Salisbury needs flexibility to enter into such contracts for periods longer than three (3) years for the benefit of its citizens; and

WHEREAS, the Mayor and Council are in agreement that the City needs flexibility to enter into such contracts to secure potential energy and water sources for periods longer than three (3) years.

WHEREAS, the City shall hereafter be allowed to enter into such contracts for periods no longer than twenty (20) years; and

WHEREAS, to achieve these ends, it is necessary to amend Section SC5-1 of the City of Salisbury Charter.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Salisbury deems it to be in the best interest of the citizens of Salisbury to amend Section SC5-1 of the City of Salisbury Charter as outlined below:

ARTICLE V-General Powers

§ SC5-1. Enumeration.

A. The City of Salisbury shall have the power:

(6) Contracts. To contract with any corporation, firm or person for the energy and water requirements of the city or a part thereof, by such means as may be deemed proper, provided that no contract so entered into shall be for a longer period than ~~three (3)~~ **twenty (20)** years.

AND, BE IT FURTHER RESOLVED by the City Council of Salisbury that the title of this Resolution shall be deemed a fair summary of the amendment provided for herein for publication and all other purposes;

AND, BE IT FURTHER RESOLVED by the City Council of Salisbury that this Resolution shall take effect fifty (50) days from and after the date of its final passage and that its provisions shall be implemented on the 14 day of April, 2015, subject to the right of petition to referendum. The City Clerk, on behalf of the Mayor, is hereby directed to proceed with the posting and publication of this Resolution, and the sending of information concerning the charter amendment provided for herein to the Maryland Department of Legislative Services pursuant to the requirements of Local Government Article §4-304 of the Annotated Code of Maryland;

AND, BE IT FURTHER RESOLVED that, to the extent that any Section of the City of Salisbury Charter is in conflict with the provisions of this Resolution, such Section or Sections be and hereby are repealed to the extent of such conflict.

The above Resolution was introduced, read and passed at the regular meeting of the City Council of the City of Salisbury held on this 23 day of February, 2015.

ATTEST:

Kimberly R. Nichols
Kimberly R. Nichols, City Clerk

Jacob R. Day
Jacob R. Day, President of the
Council of the City of Salisbury

Publish:

2/27/15

3/06/15

3/13/15

3/20/15

City of Salisbury



MARYLAND

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MAYOR

M. THOMAS STEVENSON, JR.
INTERIM CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

Salisbury



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KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER
ASST. DIRECTOR OF INTERNAL
SERVICES

TO: Mayor and City Council

FROM: Jennifer Miller, Asst. Director of Internal Services, Procurement & Parking

DATE: January 6, 2015

SUBJECT: Charter Amendment to SC5-1 Enumeration

Under the direction of City Administration, the Procurement and Public Works Departments have been in discussions with Solar City, a solar energy provider, to provide for a 1.7 MW solar array on City-owned property. To achieve this goal would require a Charter Amendment to SC5-1, which currently restricts procurements of lighting for the City to 3 years. Given the large upfront expense of alternative energy construction, these providers have a longer rate of return and therefore propose contracts with terms of 15 to 20 years. The current proposal from Solar City calls for a 20-year agreement.

The Procurement Department requests Council's consideration and approval of a Charter Amendment to SC5-1 to allow the City to enter into energy contracts for periods up to twenty (20) years. This length would provide the most flexibility in the Charter language, although each contract would be approached separately and vetted for optimum length depending on a cost/benefit analysis.

cc: Tom Stevenson
Terence Arrington
Keith Cordrey
Mike Moulds