

ORDINANCE NO. 2440

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 2.04.060(a) - FINANCIAL DISCLOSURE-EMPLOYEES AND APPOINTED OFFICIALS, CHAPTER 2.14 - HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, CHAPTER 2.18 - DEPARTMENT OF INFORMATION TECHNOLOGY, AND CHAPTER 2.20.020 - HUMAN RESOURCES DEPARTMENT, BY DELETING THE REFERENCE TO THE ASSISTANT CITY ADMINISTRATOR AND REPLACING IT WITH REFERENCES TO THE DEPUTY CITY ADMINISTRATORS, BY ADDING THE BUILDING CODE TO THE CODES ENFORCED BY THE HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT, BY DELETING THE REFERENCES TO INFORMATION TECHNOLOGY AND REPLACING IT WITH INFORMATION SERVICES AND BY DELETING THE WORD DIRECT IN FRONT OF THE PHRASE "SUPERVISION OF THE CITY ADMINSTRATOR"; TO AMEND CHAPTER 2.32 - PURCHASES AND SALES BY DELETING THE TITLE DIRECTOR OF INTERNAL SERVICES AND REPLACING IT WITH THE TITLE DIRECTOR OF PROCUREMENT, AND TO AMEND CHAPTER 2.40 - DISPOSITION OF PERSONAL PROPERTY, SECTION .030 BY DELETING THE TITLE DIRECTOR OF INTERNAL SERVICES AND REPLACING IT WITH THE TITLE DIRECTOR OF FINANCE.

WHEREAS, the Mayor and Council of the City of Salisbury desire to re-organize the departmental structure of the City of Salisbury; and

WHEREAS, the position of Assistant City Administrator is being changed to two Deputy City Administrators as part of the re-organization; and

WHEREAS, under the reorganization structure one Deputy City Administrator shall be the immediate supervisor of the department heads from the Departments of Finance, Public Information Office, Information Services, Human Resources, and Business Development; and

WHEREAS, the other Deputy City Administrator shall be the immediate supervisor of the department heads from the Departments of Procurement, Housing and Community Development, Water Works, Field Operations and Infrastructure and Development; and

WHEREAS, the Department of Building, Permitting and Inspections is being eliminated as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the responsibilities of this department for the planning, permitting and licensing will be handled by the newly created Department of Infrastructure and Development; and

WHEREAS, the responsibilities of this department for the enforcement of the building code will be handled by the Housing & Community Development Department; and

WHEREAS, the Department of Information Technology is being given additional responsibilities and is being renamed as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the Geographic Information System (GIS) will now be part of this Department; and

WHEREAS, the Department of Internal Services is being divided into two separate departments, the Department of Finance and the Department of Procurement as part of the reorganization structure for the City of Salisbury; and

WHEREAS, Chapter 2.32 of the current Salisbury City Code refers to the Director of Internal Services that will be eliminated under the reorganization and replaced with the Director of Procurement; and

WHEREAS, Chapter 2.40 of the current Salisbury City Code refers to the Director of Internal Services that will be eliminated under the reorganization and replaced with the Director of Finance; and

WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to amend the City Code to accomplish the reorganization plan, which will not result in increased costs under the City's current budget and will allow the Departments to operate in a more efficient manner;

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapters 2.04, 2.14, 2.18, 2.20, 2.32, and 2.40 of the City of Salisbury Municipal Code be amended as follows:

Title 2 – ADMINISTRATION AND PERSONNEL

Chapter 2.04 – ETHICS

2.04.060(a) – Financial disclosure-Employees and appointed officials.

- a. This section only applies to the following appointed officials and employees:
 - City Administrator – ~~[[Assistant]]~~ Deputy City Administrators
 - City Clerk – Assistant City Clerk
 - City Solicitor – Assistant City Solicitor
 - Department Directors – Assistant Department Directors
 - Members of Quasi-Judicial Boards and Commissions including, but not limited to:
 - Members of Board of Zoning Appeals
 - Members of Housing Board of Adjustment and Appeals
 - Members of Building Board of Adjustment and Appeals
 - Members of the Planning and Zoning Commission appointed by the city
 - Members of the Ethics Commission
 - Members of the Historic District Commission

Chapter 2.14 – HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT.

2.14.010 – Establishment – Purpose.

There is established a Housing and Community Development Department for the purpose of enforcement of the City’s housing, *building, fire* and zoning codes to assure compliance with zoning, property maintenance, *fire code* and occupancy provisions.

2.14.030 – Powers and duties of director and department.

Under the authority of the mayor and the **[[direct]]** supervision of the city administrator, the director of the Housing and Community Development Department is directed to enforce the city’s housing, *building, fire* and zoning codes and to carry out and perform all functions of the city as provided by such housing, *building, fire* and zoning codes. The Housing and Community Development Department shall have all the power and authority necessary to carry out its duties.

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

The director of the Housing and Community Development Department shall be responsible and report **[[directly]]** to the city administrator under the authority of the mayor. The Housing and Community Development Department shall make all necessary inspections to determine whether the housing, *building, fire* or zoning codes have been or are being violated. The director of the Housing and Community Development Department shall promptly and faithfully execute or secure the issuance of all writs (warrants) for any violations of the various codes mentioned above and shall attend any court having the enforcement of any such violations.

2.14.050 – Department procedure – Hearings.

The director of the Housing and Community Development Department shall follow such procedures including conducting formal or informal hearings for persons alleged to have violated with the housing, *building, fire* or zoning codes, as shall best promote efficient administration, justice and good order and shall not be inconsistent with law or the Charter of the city.

Chapter 2.18 – DEPARTMENT OF INFORMATION **[[TECHNOLOGY]]SERVICES**.

2.18.010 – Establishment – Purpose.

There is established a department of information **[[technology]]services** for the purpose of planning and managing the information systems and data communications equipment utilized by the city government.

2.18.020 – Director of information **[[technology]]services**.

There shall be a department of information **[[technology]]services** headed by a director. The director of the department of information **[[technology]]services** shall be appointed by the mayor with the advice and consent of a majority of the full council and shall serve continuously unless terminated pursuant to Section SC2-10. The compensation for the director shall be

determined by a majority of the full council. All subordinate personnel shall be appointed as provided in Section SC3-4.C of the City Charter.

2.18.030 – Powers and duties of director and department.

Under the authority of the mayor and the **[[direct]]** supervision of the city administrator, the director of the department of information **[[technology]]services** is directed to plan and manage the information systems and data communications equipment utilized by the city government. These responsibilities shall include: network security; network and server administration; application system administration; disaster recovery and end-user support.

2.18.040 – Establishment of rules and regulations – Recommendations to mayor.

The director of the department of information **[[technology]]services** shall establish such rules and regulations as shall, from time to time, be necessary to the performance of the duties and functions of the department of information **[[technology]]services** pursuant to this chapter. The director of the department of information **[[technology]]services** shall recommend necessary changes which he deems desirable in the provisions of this chapter, other provisions of law, the Charter, and ordinances or resolutions affecting the department of information **[[technology]]services** for submission to and approval by the mayor.

2.18.050 – Assignment of additional duties.

In addition to its duties as provided in Sections 2.1**[[4]]**8.030 and 2.1**[[4]]**8.040 of this chapter, the department of information **[[technology]]services** shall perform any and all other duties which may be assigned to it by the mayor, in writing or otherwise, and the department of information **[[technology]]services** shall have all power and authority necessary to carry out such additional assigned duties.

Chapter 2.20 – HUMAN RESOURCES DEPARTMENT

2.20.020 – Duties.

Under the authority of the mayor and the **[[direct]]** supervision of the city administrator, the human resources director shall recommend personnel policy and procedures, assist with recruitment of personnel, assist with maintenance of personnel records, administer employee benefits, assist employees in obtaining information and services from benefit providers, coordinate safety and risk management programs and such other duties as the mayor may direct.

Chapter 2.32 - PURCHASES AND SALES

2.32.010 - Lending or leasing of city-owned equipment.

- A. The council may lend, lease or hire any city-owned equipment, machinery or other personal property to any person when, in the discretion of the council, conditions exist so

that the lending, hiring or leasing thereof may be beneficial to the citizens of the city or to the citizens of the surrounding territory.

- B. The chief of the city of Salisbury fire department is authorized to provide automatic aid to areas lying outside of the Salisbury fire district in Wicomico County, by lending the appropriate fire and emergency medical equipment and apparatus, until **[[January 1, 2003]] June 30, 2022**, or until an updated reimbursement agreement for fire and emergency medical services is reached between the city, Wicomico County, and the outlying jurisdictions, whichever is later.
- C. No agent, servant or employee of the city shall lend, lease or hire any of the equipment, machinery or other personal property of any kind or character owned by the city to any person, with the exception that any department head may authorize lending or leasing of equipment, machinery, personal property or personnel, for the purpose of providing mutual aid to federal, state, county or municipal governmental entities, including law enforcement, fire, rescue and emergency medical services, and emergency management and disaster assistance agencies. The city council shall be informed as soon as reasonable about any action by a department head.

2.32.020 - City purchases and sales controlled by director of **[[internal services]]procurement**.

Except for contracts to sell public debt securities, the director of **[[internal services]]procurement** shall control all city purchases and sales and shall make or approve all city contracts for all supplies, materials, equipment or services needed by all offices, departments, institutions, boards, commissions and other agencies controlled by the city, which are supported wholly or partly by city funds, hereinafter in this chapter called the "using agencies."

2.32.030 - Detailed estimates—Requisitions required.

All using agencies may at any time requisition any needed supplies, materials, equipment or service. Except in the case of direct purchases under Section 2.32.040, the filing of a proper requisition with the director of **[[internal services]]procurement** shall be the first step in any city purchase or contract. Each such requisition shall be in writing, shall be signed by the head of the using agency, shall identify the article or service needed or specify the public work done or to be done and shall authorize the using agency's appropriation to be charged therefor.

2.32.040 - Direct purchases.

- A. Where immediate procurement is necessary to prevent delays in its work and resulting loss to the city, any using agency may be permitted by the director of **[[internal services]]procurement** to purchase directly any minor items of supplies, materials, equipment, or services not in excess of four hundred dollars (\$400.00) unit cost or an aggregate cost of one thousand dollars (\$1,000.00). Each direct purchase shall be made in accordance with rules of procedure established by the director of **[[internal services]]procurement**.
- B. The intent of this section is to permit direct purchase of minor items to prevent delays and loss and not as a substitute for advance planning of needs or as a regular method of

recurring purchases of items. This section is not to be abused by unwarranted favoritism of one supplier or by division of one purchase into several small purchases, each less than four hundred dollars (\$400.00). The director of **[[internal services]]procurement** shall report to the council any violation or attempted violation of this section.

2.32.050 - Procedure for competitive bidding.

Whenever the estimated value of the purchase or contract is twenty-five thousand dollars (\$25,000.00) or less, the council authorizes informal bidding procedures in the case of any single contract, purchase, or sale. Whenever the estimated value of the purchase or contract is in excess of twenty-five thousand dollars (\$25,000.00), the following procedures shall be followed:

- A. **Determination of When Bidding Required.** On receiving any requisition for any purchase or any request for the making of any contract or council approval of any sale of city property, the director of **[[internal services]]procurement** shall estimate the value and shall determine whether the same appears to require competitive bidding and what form it should take. If in doubt, he/she may submit such question to the city solicitor, who shall render an opinion informally or in writing as may be required by the director of **[[internal services]]procurement**.
- B. **Fixing of Terms, Conditions and Specifications of Bidding.** After consulting the head of the using agency, the director of **[[internal services]]procurement** shall fix and determine all the detailed terms and conditions of bidding pursuant to Article XVI of the Charter and this section, including the form and content of source selection, notices to bidders, times and conditions for bidding, specifications, surety for bids and other details. Bids may be requested in whole or in parts and with one or more alternates as the director of **[[internal services]]procurement** may determine. In every instance, the city shall reserve the right to reject any bids, waive any irregularities and make the award in the best interests of the city.

Council approval shall be required for all unbudgeted capital outlay items and all capital outlay which exceeds budgeted funds. For budgeted goods and services, council approval shall only be required for contracts in excess of one hundred thousand dollars (\$100,000.00).

- C. **Methods of Source Selection.** If the estimated value is twenty-five thousand dollars (\$25,000.00) or more, the director of **[[internal services]]procurement** shall solicit bids using one of the following methods:
 - 1. **Competitive Sealed Bidding.**
 - a. A notice and invitation to bid shall be published at least once in a newspaper published in the city and allowing ample time for preparation of bids, but in no event less than seven calendar days before the date for submitting bids.
 - i. A notice and invitation to bid shall be mailed to persons listed on the city's list of prospective bidders.
 - ii. Other persons shall be notified by suitable means as the director of **[[internal services]]procurement** may select, in

- his/her discretion, in order to discourage uniform bidding and to obtain as full and open competition as possible.
- b. Sealed bids submitted to the director of **[[internal services]]procurement** on time shall be opened in public at the time and place designated and shall be tabulated, which shall be open to public inspection.
 - i. The director of **[[internal services]]procurement**, on his/her own authority, may reject all bids or any part thereof, and **[[readvertise]] re-advertise** for bids when, in his/her judgment, the public interest will be served thereby.
 - ii. The director may select the successful bidder by lot if the best bids are identical and the public interest will not permit the delay of **[[readvertise]] re-advertising**.
 - c. The director of **[[internal services]]procurement** shall award the contract to the responsible bidder who submits the responsive bid that is either the lowest bid price, or is the lowest evaluated bid price, or is the bid most favorable to the city.
 - d. If, after competitive sealed bids have been opened, the director of **[[internal services]]procurement** determines that only one responsible bidder has submitted a responsive bid, the director of **[[internal services]]procurement** may negotiate the procurement contract with that one bidder under the procedure for noncompetitive negotiation (sole source procurement).
 - e. After competitive sealed bids have been opened, the director may award a procurement contract on the basis of revised bids if:
 - i. All bids are rejected;
 - ii. All bid prices exceed the funds available for the procurement; or
 - iii. The director determines that all bids are unreasonable as to at least one requirement and the delay that would result from issuing a new invitation for bids with revised specifications or quantities would be fiscally disadvantageous or otherwise not in the best interests of the city;
 - iv. If there is more than one bidder, discussions about revised specifications or quantities shall be conducted with all responsible bidders who submitted responsive bids. The bidders shall be treated fairly and equally with respect to any discussions;
 - v. An invitation for revised bids shall state whether the award will be made without competitive negotiations; such invitation is not subject to the notice requirements in subsection (C)(1)(a)(ii) of this section;
 - vi. After revised bids have been submitted, negotiations with bidders may not be conducted unless the director determines that there is a compelling reason to negotiate.

Award shall be made pursuant to subsection (C)(1) of this section.

2. Multi-Step Bidding.
 - a. May be used when the director determines that an initial preparation of specifications for price bids is impracticable;
 - b. Shall follow notice and invitation to bid requirements found in subsection (C)(1)(a)(ii) of this section;
 - c. Includes a request for unpriced technical offer or samples;
 - d. Directs bidders to submit sealed price bids separately either with the technical offers or after the technical offers are evaluated and they have been found acceptable under the criteria set forth in the invitation to bid;
 - e. Only those prices submitted by bidders whose technical offers have been found acceptable will be considered;
 - f. Sealed price bids may not be opened until after a complete evaluation of the technical offers has been made;
 - g. Award is made pursuant to requirements under competitive sealed bidding.
3. Competitive Sealed Proposals.
 - a. Competitive sealed proposals may be used when the director of **[[internal services]]** *procurement* determines that specifications cannot be prepared that allow an award based on the lowest bid price, the lowest evaluated bid price, or the bid most favorable to the city; or when the use of competitive sealed bidding is not practicable or not advantageous to the city.
 - b. A request for proposals shall follow the notice and invitation to bid requirements found in subsection (C)(1)(a)(ii) of this section.
 - c. A request for proposals shall include a statement of the scope of the procurement and the factors including price, that will be used in evaluating proposals and the relative importance of each factor.
 - d. After receipt of proposals, but before award, the director may conduct discussions with an offeror to:
 - i. Obtain the best price for the city;
 - ii. Ensure full understanding of the city's requirements and the offeror's proposal.
 - e. If discussions are conducted, the director:
 - i. Shall provide an opportunity to participate to each responsible offeror who submits a proposal that, in the judgment of the director, is reasonably susceptible of being selected for award;
 - ii. Shall treat all of those responsible offerors fairly and equally;
 - iii. May allow all of those responsible offerors to revise their initial proposals by submitting best and final offers, if discussions indicate that it would be in the best interest of the city to do so;
 - iv. May conduct more than one series of discussions and requests for best and final offers; and
 - v. May not disclose to an offeror any information derived from a proposal of or discussion with a competing offeror.

- f. Proposals are irrevocable for the period specified in the request. A best and final offer is irrevocable for the period specified in the request for best and final offers.
 - g. The director shall award the procurement contract to the responsible offeror who submits the proposal or best and final offer determined to be the most advantageous to the city considering the evaluation factors set forth in the request for proposals.
4. Competitive Negotiations.
- a. To be used for certain professional, architectural, engineering, or other specialized services;
 - b. The director requests statements of qualifications and information including description of work, time estimate, past experiences, references, hourly rates, if applicable;
 - c. All responses are evaluated and discussions may be conducted with any bidder to clarify qualifications or discuss the approach to the work;
 - d. Once evaluations and discussions are completed, the using department head and the director shall select, in order of qualification ranking, at least three acceptable suppliers. The best qualified supplier is then requested to submit cost or pricing data. A contract is then negotiated with that supplier;
 - e. If a contract cannot be negotiated, the reasons for failure are documented and the same process is followed with the next most qualified supplier.
5. Noncompetitive Negotiation-Sole Source Procurement.
- a. Noncompetitive negotiation can be utilized if at least two sources are available for the services but the absence of effective competition makes it unreasonable to expect bids or proposals from the available sources.
 - b. A request for general expressions of interest shall be published in the same manner as required for invitation for bids, shall state the general requirements for services, and shall request interested service providers to respond in writing with general expressions of interest.
 - c. The director may conduct discussions with any responsible service provider who has submitted an expression of interest; the director shall treat fairly and equally with respect to discussions all responsible service providers who have submitted expressions of interest.
 - d. The director may award a procurement contract to the provider offering the best price, conditions, and services and in the best interests of the city.
 - e. Sole source procurement exists whenever the director 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.
6. Procedure for Informal Competitive Bidding.
- a. If the estimated value is less than twenty-five thousand dollars (\$25,000.00) the director of procurement shall solicit informal competitive bids by giving notice by mail, telephone, fax, or other means deemed effective by the director to such persons as he/she may select, at his/her discretion, in order to discourage uniform bidding and to obtain as full and open competition as possible.

- b. At least three competitive bids shall be secured whenever possible, and an award shall be made by the director to the lowest and best bid in the case of purchases or the highest and best bid in the case of sales.
- c. The director shall keep a record of all competitive bids submitted pursuant to this procedure, and such records shall be open in his/her office.

D. Small Business Preference Program.

- 1. Applicability. The Small Business Preference Program applies to all competitive bidding conducted pursuant to this section by the City.
- 2. Procedures.
 - a. The director of **[[internal services]]procurement** shall screen all procurements potentially eligible for a small business preference and shall determine which of those procurements is appropriate for preferences under these procedures. The director of **[[internal services]]procurement** shall also determine which percentage preference is to be applied. The determination shall be based on the availability of qualified, certified small businesses and other appropriate factors.
 - b. The proposed small business procurement preference may not exceed a base percentage preference of five percent (5%) of the total contract value. A two percent (2%) preference may be added to the base percentage preference for veteran-owned small businesses and a three percent (3%) preference may be added to the base percentage preference for disabled-veteran-owned small businesses.
 - c. Any solicitation for a procurement designated for a small business preference shall include a statement that the procurement has been so designated and shall indicate the price preference percentage to be applied to that procurement.
 - d. Small Business preferences shall apply only to those businesses which meet the definition of a small business, veteran-owned small business, or disabled-veteran-owned small business under Maryland law and COMAR, and in the case of the City's small business preference program, any small business, veteran-owned small business or disabled-veteran-owned small business must also have its principal place of business within the city limits of Salisbury, Maryland or be at least 51% owned and controlled by an individual domiciled in Salisbury, Maryland.
 - e. The director of **[[internal services]]procurement** shall maintain a list of all small businesses, veteran-owned small businesses and disabled-veteran-owned small businesses qualified under both state law and this Code to be designated as such. It is the responsibility of the small business and not the director of **[[internal services]]procurement**, to request that its name be included on the list. The director will, however, verify whether each small business is qualified for inclusion on the list and demand whatever proof is required. If any business is found not qualified, the director of **[[internal services]]procurement** will notify the business and afford it an opportunity to appeal the director's decision to the City Administrator. The decision of the City Administrator is final.

3. Direct Solicitation. When soliciting bids for a procurement designated for a small business preference, the director of **[[internal services]]procurement** shall send a solicitation or notice of the solicitation to all certified small businesses on the list which are appropriate for the subject of the contract.
4. Evaluation. When a procurement under this code section has been designated for a small business preference, the procurement officer shall accept the most favorable responsive bid from a responsible small business if the bid does not exceed the most favorable responsive bid price received from a responsible bidder that is not certified as a small business by:
 - a. More than 5%;
 - b. More than 7% for a veteran-owned small business;
 - c. More than 8% for a disabled-veteran-owned small business; or
 - d. The predetermined percentage preference.

2.32.060 - Emergency purchases.

- A. Emergency Procurement Defined. A procurement of goods, services or construction necessitated by any threatened dangerous condition or by a threatened imminent or unforeseen curtailment of an essential service or supply which, if not remedied by a procurement, will endanger or cause damage to health, life or property and which remedy cannot be accomplished through a timely procurement using normal procedures.
- B. Procurement During Regular Hours. Upon occurrence of an actual emergency, the director of **[[internal services]]procurement**, on learning of such emergency and of the resulting need for immediate procurement by any using agency of any supplies, materials, equipment or services, shall seek approval, written if time permits, from the mayor to secure such goods and services in the open market at the lowest price obtainable without competitive bidding, regardless of the amount of the expenditure. If satisfied that an actual emergency exists and that such immediate procurement is necessary as a result, the mayor may give approval and the director may proceed with such procurement. The president of the council will also be informed as soon as possible. In the absence or disability of the mayor, the director shall attempt to secure such approval from the city administrator or the president of the council, in that order. If neither of them is available and the circumstances require, the director may proceed on his/her own authority.
- C. Procurement After Normal Business Hours. Upon occurrence of an actual emergency, those called out to handle said emergency shall notify their department head at that time of any required purchases necessary to mitigate the emergency. The director of **[[internal services]]procurement** shall be notified as early as possible on the next working day of any goods or services purchased during the emergency. The mayor and president of the city council shall be notified as in subsection B of this section.
- D. Public Record. The director of **[[internal services]]procurement** shall, at the earliest opportunity, obtain from the head of each using agency a requisition and a copy of the delivery record, together with a full written explanation of the circumstances of the emergency, whether or not during normal business hours, and such explanation shall be included as information to the council at the earliest opportunity and be open to public inspection.

2.32.070 - Inspection of purchases.

The director of **[[internal services]]procurement** shall inspect or arrange for the inspection of all deliveries of supplies, materials, equipment, and services to determine their conformance with the specifications set forth in the order or contract. Any department having the staff and facilities for adequate inspection may be authorized by the director of **[[internal services]]procurement** to inspect all deliveries made to such using agencies under rules and regulations which the director of **[[internal services]]procurement** shall establish. The director shall have authority to require chemical and physical tests of samples of deliveries, which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the director shall have authority to make use of laboratory facilities or any agency of the city or any outside laboratory.

2.32.080 - Disposition of surplus supplies.

All using agencies shall submit to the director of **[[internal services]]procurement**, at such times and in such form as he/she may prescribe, a request to declare as surplus all supplies, materials and equipment, costing four hundred dollars (\$400.00) or more and listed on the capital asset inventory, which are no longer used or which have become obsolete, worn out or scrapped. The director may transfer such stock to other agencies which have need for or can use it or, if not thus usable, may sell or otherwise dispose of same in accordance with the Charter. All supplies, materials, and equipment costing less than four hundred dollars (\$400.00), which are no longer used or which have become obsolete, worn out or scrapped, may be disposed of as determined by the head of the department disposing of such property.

2.32.090 - Authority to establish rules and regulations.

The director of **[[internal services]]procurement** shall establish and from time to time amend all rules and regulations authorized by this chapter and any others necessary to its operation. Such rules and regulations and amendments thereto shall be subject to the approval of the council.

2.32.100 - Annual report—Recommendations for changes.

The director of **[[internal services]]procurement** shall also submit to the mayor, at the time prescribed by the mayor, an annual report on the work of his/her office and may from time to time suggest changes in this chapter which he/she deems necessary.

Chapter 2.40 – CLAIMS FOR REFUNDS

2.40.030 – Methods of disposition.

Any remaining tangible personal property that has been in the possession of the department for a period of at least ninety (90) days may be disposed of as follows:

- A. By giving notice of the disposition of such property by ordinary mail to those persons entitled to its possession and to those lienholders whose names and addresses can be ascertained by the exercise of reasonable diligence;
- B. Thereafter, such property may be disposed of in accordance with Charter and code provisions. A certificate by the director of **[[internal services]]***finance* that personal property has been sold pursuant to this section shall constitute sufficient evidence of title to such property for all purposes.

EXPLANATION:

* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
Deleted material from the existing Code is indicated by bold double bracketed **[[]]** language.

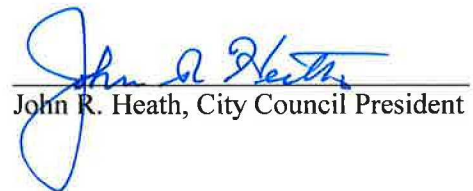
AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of September, 2017 and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 9th day of October, 2017.

ATTEST:

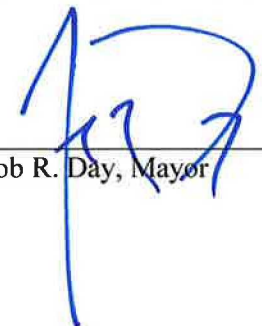


Kimberly R. Nichols, City Clerk



John R. Heath, City Council President

Approved by me, this 10th day of OCTOBER, 2017.



Jacob R. Day, Mayor



To: City Council
From: Julia Glanz, City Administrator
Subject: Reorganization- Charter and Code Changes
Date: August 2, 2017

During the FY18 Budget Process, the Mayor and I proposed a plan to reorganize the departments within our City government in order to more appropriately align them with the City's goals and objectives.

Substantial changes that constitute this reorganization include: a one-stop-shop for all development projects, the consolidation of our code enforcement officers by relocating them all to one department, a reworking and division of the legacy structure of our Public Works department, a new focus on GIS in all City departments, an independent Procurement department, and the revocation of a previous arrangement that placed Parking under Procurement's purview. This reorganization will be evident in the functionality of our City government and will have a minimal impact on the FY18 Budget.

To further explain this reorganization, all proposed City Code and Charter changes are attached for your review, as well as the ordinance necessary to accept those changes.