



CITY OF SALISBURY COUNCIL MEETINGS

Welcome and thank you for attending this public meeting. We appreciate your interest in what is happening in your City. Please familiarize yourself with the meeting procedures below:

Presiding Officer

The Council President is responsible for conducting the meeting and managing any public comment period. When the Council President is not present, the Council Vice President conducts the meeting.

Public Participation in City Council Meetings

1. In accordance with the Maryland Open Meetings Act, the general public is entitled to attend and observe all meetings of the Mayor and Council except in appropriate circumstances when meetings of the public bodies may be closed under the Act.
2. To encourage community engagement, the Council allows public comment using the following guidelines:
 - a. Work Sessions – persons desiring to speak on matters specific to the topics on the agenda may do so for up to three (3) minutes after each topic has been presented.
 - b. Regular Meetings – persons desiring to speak on any matter may do so for up to four (4) minutes during the “Public Comments” portion of the meeting.
 - c. Please fill out a comment form from the table as you enter Council Chambers, and turn it in to the Clerk.
 - d. The Council President will call you up to the podium. For the record, please state your name, whether you are a resident within the corporate limits of Salisbury, and any organization affiliation you are representing.
 - e. Questions posed by the public during the public comment portion will be logged and tracked by the City Clerk. The City Clerk will forward the questions to the appropriate individual or body for a response.
3. Those in attendance shall be courteous to one another, the Council, and to the proceedings while the Council is in session. Side conversations within the Council Chambers should be kept to a minimum and should not be disruptive.
4. The public body may have an individual removed if it is determined that the behavior of the individual is disruptive. Engaging in verbal comments intended to insult or slander anyone may be cause for termination of speaking privileges and/or removal from Council Chambers.
5. Please approach the City Clerk if you have questions or materials for the Council.

Please silence your cellphone.



**CITY OF SALISBURY
SPECIAL MEETING AGENDA**

JUNE 3, 2024

5:55 p.m.

Government Office Building, Council Chambers and Zoom Video Conferencing

Times shown for agenda items are estimates only.

- 5:55 p.m. CALL TO ORDER
- 5:55 p.m. ADOPTION OF SPECIAL MEETING AGENDA
- 5:56 p.m. RESOLUTION- presented by City Administrator Andy Kitzrow
- **Resolution No. 3348**- authorizing City of Salisbury to issue and sell a series of its General Obligation Bonds to be designated "City of Salisbury Public Improvement Bonds of 2024"
- 6:00 p.m. FY2025 PROPOSED BUDGET PUBLIC HEARING- presented by City Attorney Ashley Bosché
- **Ordinance No. 2870**- appropriating the necessary funds for the operation of the Government and Administration of the City of Salisbury, Maryland for the period July 1, 2024 to June 30, 2025, 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
 - **Ordinance No. 2871**- to amend Water & Sewer rates to increase by 9% and making said changes effective for all bills dated October 1, 2024 and thereafter unless and until subsequently revised or changed
 - **Ordinance No. 2872**- to set fees for FY2025 and thereafter unless and until subsequently revised or changed
- 6:20 p.m. ORDINANCES- presented by City Attorney Ashley Bosché
- **Ordinance No. 2869**- 2nd reading- authorizing the Mayor to enter into a contract with the Chesapeake Bay Trust for the purpose of accepting grant funds in the amount of \$1,272.00 and to approve a budget amendment to the Grant Fund to appropriate these funds for the Salisbury Edible Community Garden
 - **Ordinance No. 2873**- 2nd reading- approving a budget amendment of the FY2024 General Fund Budget to appropriate funds to the Salisbury Fire Department's Operating Budget
 - **Ordinance No. 2874**- 2nd reading- approving a budget amendment of the FY2024 General Fund Budget to appropriate additional funds required for legal services
 - **Ordinance No. 2875**- 1st reading- to correct Ordinance No. 2865 and authorizing the Mayor to appropriate funds for various capital projects

- **Ordinance No. 2876**- 1st reading- authorizing a budget amendment to appropriate funds for the WTP Filter Project

6:35 p.m. ADJOURNMENT

Copies of the agenda items are available for review in the City Clerk's Office, 115 S. Division Street, Salisbury Headquarters Building, 410-548-3140 or on the City's website at www.salisbury.md. 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.

NEXT COUNCIL MEETING – JUNE 10, 2024

- **Ordinance No. 2870**- 2nd reading- appropriating the necessary funds for the operation of the Government and Administration of the City of Salisbury, Maryland for the period July 1, 2024 to June 30, 2025, 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
- **Ordinance No. 2871**- 2nd reading- to amend Water & Sewer rates to increase by 9% and making said changes effective for all bills dated October 1, 2024 and thereafter unless and until subsequently revised or changed
- **Ordinance No. 2872**- 2nd reading- to set fees for FY2025 and thereafter unless and until subsequently revised or changed
- **Ordinance No. 2875**- 2nd reading- to correct Ordinance No. 2865 and authorizing the Mayor to appropriate funds for various capital projects
- **Ordinance No. 2876**- 2nd reading- authorizing a budget amendment to appropriate funds for the WTP Filter Project
- **Public Hearing** – West Road Annexation and Annexation Plan

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2IHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592

Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant. The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).

5/31/24

INTER

OFFICE

MEMO

Finance Department

To: Andy Kitzrow, City Administrator
From: Keith Cordrey, Director of Finance
Subject: Resolution Providing for the Sale and Issuance of General Obligation Bonds
Date: May 28, 2024

Attached is a resolution providing for the sale and issuance of the general obligation bonds authorized by Ordinance No. 2864.

Below are an overview and a bullet points summary of the resolution prepared by the City's bond counsel, Lindsey Rader of Funk & Bolton, P.A.

Overview: Pursuant to Ordinance No. 2864 (the "Ordinance"), the Council approved the issuance by the City of general obligation bonds in one or more series from time to time in an original aggregate principal amount not exceeding \$13,212,743 in order to finance, reimburse or refinance costs of the projects identified therein. (The Ordinance also includes bond anticipation note authority for interim financing, and refunding authority to refund any bonds once issued.)

The City is ready to proceed with a long-term bond issue in order to finance or reimburse project costs. It has been determined that the amortization period for the bonds will be approximately 15 years. The Resolution to be considered for adoption on June 3, 2024 provides that the bonds will be issued in a maximum original aggregate principal amount of \$13,210,000 (because the bonds will be offered in denominations of \$5,000 and integral multiples of \$5,000). The Resolution includes a preliminary sizing of the bonds of \$11,900,000, based on the City's financial advisor's expectations regarding market conditions as of the third week of May 2024, which preliminary sizing assumes the winning bidder will bid with substantial net original issue premium.

Due to the size of the contemplated issue, First Tryon Advisors, LLC, the City's financial advisor, recommends that the bonds be sold at public sale by solicitation of competitive bids. On the sale date, underwriting firms will submit electronic bids to purchase the Bonds by a stated time. The bids will be for an amount not less than the par amount (principal amount) of the Bonds and with

such net original issue premium as the bidders may offer, and the terms on which bids shall be submitted shall be communicated through a Notice of Sale, which will be included as an appendix to the Preliminary Official Statement referenced below. The only discretion that bidders have in making their bids is the interest rates they offer and any net original issue premium. The bonds, if awarded, will be awarded to the bidder offering the lowest true interest cost to the City.

In connection with the offering of the bonds, a Preliminary Official Statement outlining terms of the bonds and disclosing financial, economic, demographic and operating information regarding the City will be circulated to potential bidders and potential ultimate bond purchasers by being posted electronically. Following the sale date, a final Official Statement reflecting sale terms will be circulated to the successful bidder and made available to investors purchasing the bonds and generally to the public.

The Resolution authorizes the Mayor to award the Bonds or to reject all bids for the Bonds. Upon receipt of bids, the financial advisor to the City will confirm the bidder offering the lowest true interest cost and the Mayor will consult with certain personnel to determine whether the lowest bid is satisfactory. Final award of the bonds, if made, will be made by the Mayor by order following receipt of the good faith deposit provided for in the Notice of Sale.

Flexibility to change the amortization schedule prior to the sale date and following receipt of bids is delegated to the Mayor, in consultation with certain personnel, (i) pre-sale, in order to address any of the considerations set forth in Section 4(c) of the Resolution, and (ii) post-sale, in order to ensure that the purchase price offered by the apparent successful bidder (the par amount plus any net original issue premium) does not result in the City receiving more bond proceeds than it needs for purposes of the financing. Accordingly, the principal amount of the Bonds referenced in the Notice of Sale may be adjusted from the amount provided for in the Notice of Sale either before bids are submitted or following receipt of bids. The Mayor is also authorized to make certain other adjustments to the terms of sale of the bonds as outlined in the Resolution.

The anticipated timeline is as follows: (i) introduce/adopt Resolution on June 3, 2024; (ii) post Preliminary Official Statement on June 4, 2024; (iii) conduct pricing/sale on June 11, 2024; (iv) “pre-close” the bond issue on June 24, 2024; and (v) “close” the bond issue on June 25, 2024.

Summary of Bond Resolution:

- The Recitals trace the authority for and purposes of the contemplated bonds (referred to in the Resolution as the “Bonds”).
- Section 1 - Contains rules of construction.
- Section 2 - Allocates the maximum principal amount of the Bonds among the authorized projects and costs of issuance (collectively, the “Projects”) and defines “Costs of the

Projects.” Also provides for appropriation of proceeds of the Bonds up to the stated maximum principal amounts specified in the table included in subsection (b) and for reallocation of proceeds of the Bonds as described in such Section.

- Section 3 - Designates the Bonds as the “City of Salisbury Public Improvement Bonds of 2024” and specifies they may be issued in a maximum aggregate principal amount not to exceed \$13,210,000. Contains further appropriation and allocation language.
- Section 4 – (i) Provides the Bonds will be issued in book-entry only form with The Depository Trust Company (“DTC”); (ii) sets forth the preliminary amortization schedule with an assumed original aggregate principal amount of \$11,900,000 (based on current market conditions as of the third week of May 2024) and a final maturity date of September 1, 2039 and authorizes the Mayor, with the advice of certain personnel, to adjust the amortization schedule from time to time prior to the sale, including by adjusting the overall principal amount, eliminating maturities and/or changing the serial structure for the reasons specified in such Section, as long as the final aggregate principal amount does not exceed \$13,210,000; specifies interest payment dates of March 1 and September 1, commencing March 1, 2025, and principal payment dates of September 1, subject to further adjustment as described in Section 4(g).
- Section 5 – Subject to the provisions of Section 4(g) (which allows for adjustments in the interest and principal payment dates and optional redemption features), the Bonds maturing on or after September 1, 2035 will be subject to redemption at the option of the City in whole or in part on any date on or after September 1, 2034 at a price of par plus accrued interest. The rest of Section 5 contains standard provisions for the mechanics of redemption of the Bonds at the City’s option.
- The Resolution contains standard provisions regarding registration of the Bonds in book-entry only form with DTC (this is typical for publicly offered bonds), the authorized denominations of the Bonds, the manner of payment of the Bonds and provisions relating to the transfer or exchange of Bonds (Sections 4(a) and 6 and 7).
- Section 8 - The substantially final form of the Bonds is attached as Exhibit A to the Resolution and the Mayor is authorized to approve the final form of the Bonds.
- Section 9 - The determination is made to sell the Bonds by public sale at competitive bid to the successful bidder determined in accordance with the official Notice of Sale, the substantially final form of which is Exhibit B to the Resolution. Provision for dissemination of the Notice of Sale is set forth in the Resolution. Sale is currently scheduled for June 11, 2024 and will be conducted through an online electronic platform known as BiDComp/Parity/www.i-dealprospectus.com. The Mayor, with the advice of certain personnel, is authorized to make changes to the Notice of Sale pre- and post-release of

the Preliminary Official Statement, including determining to postpone the sale date and reschedule. If sale is postponed, the dated date, maturity dates and optional redemption dates/features for the Bonds may be changed. The Mayor may reject all bids for the Bonds or make award of the Bonds, which will be done by order, following receipt of the good faith deposit provided for in the Notice of Sale.

- Section 10 - The preparation and distribution of the Preliminary Official Statement in such form as may be approved by the Mayor and the Director of Finance is authorized. The Mayor and the Director of Finance are also authorized to approve the final Official Statement (that will reflect the terms of pricing of the Bonds) and any necessary supplements or amendments to either the Preliminary or final Official Statements.
- Section 11(a) - Selection of Manufacturers and Traders Trust Company as bond registrar and paying agent for the Bonds is provided for, and the Mayor is authorized to execute an agreement with such entity.
- Section 12 - The City agrees to deliver a continuing disclosure undertaking in connection with the Bonds as required by SEC Rule 15c2-12 and to comply with the provisions of such undertaking while the Bonds are outstanding (which include the electronic filing with a repository of certain annual financial information and operating data regarding the City and notification of certain specified events; the proposed form of such undertaking will be an appendix to the Preliminary Official Statement). The Mayor is authorized to approve and execute such continuing disclosure undertaking.
- Sections 11(b), 13 and 14 provide for the mechanics of payment of debt service on the Bonds, undertaking the closing on the Bonds, and receipt and application of proceeds of the Bonds.
- Section 15 - The City's full faith and credit and unlimited taxing power are pledged to payment of the Bonds and the City agrees to impose necessary property taxes to pay the Bonds; provided that, to the extent other moneys are lawfully available to pay debt service on the Bonds (including any debt service to be paid in the first instance from the water/sewer fund), the taxes otherwise required to be levied will be reduced proportionately.
- Section 16 – Any one or more of the Mayor, the City Administrator and the Director of Finance are authorized to execute and deliver at closing the tax certificate addressing certain covenants and representations regarding the tax-exempt status of the Bonds, and the City covenants to comply with applicable federal tax code requirements.

- Section 17 – Details how references in the Resolution to certain officials by title shall be construed if any such position is vacant or in the absence, disability or unavailability of the referenced official. Also addresses certain modes of signature.
- Section 18 – Overrides the City’s debt policy to the extent the provisions of the Resolution or the Bonds do not comport with the debt policy.
- Section 19 - The provisions of the Resolution shall be liberally construed in order to effectuate the contemplated transactions.
- Section 20 – The Resolution will be effective immediately upon its adoption by the Council and its approval by the Mayor and is not subject to referendum.
- Exhibit A – The substantially final form of the Bonds.
- Exhibit B – The substantially final form of the Notice of Sale.

Resolution No. 3348

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2
3 A RESOLUTION OF THE COUNCIL (THE "COUNCIL") OF THE CITY OF SALISBURY
4 AUTHORIZING CITY OF SALISBURY (THE "CITY") TO ISSUE AND SELL A SERIES OF
5 ITS GENERAL OBLIGATION BONDS IN AN ORIGINAL AGGREGATE PRINCIPAL
6 AMOUNT NOT TO EXCEED \$13,210,000 PURSUANT TO THE AUTHORITY DESCRIBED
7 HEREIN, SUCH SERIES OF BONDS TO BE DESIGNATED "CITY OF SALISBURY PUBLIC
8 IMPROVEMENT BONDS OF 2024" (THE "BONDS"), THE PROCEEDS OF THE SALE
9 THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSES, AS PROVIDED
10 HEREIN, OF FINANCING OR REIMBURSING COSTS OF CERTAIN PROJECTS DESCRIBED
11 HEREIN AND RELATED COSTS THAT ARE AUTHORIZED BY ORDINANCE NO. 2864
12 IDENTIFIED HEREIN, ALL AS FURTHER DESCRIBED HEREIN; PRESCRIBING THE FORM
13 AND TENOR OF THE BONDS AND THE TERMS AND CONDITIONS FOR THE ISSUANCE
14 AND SALE THEREOF AT PUBLIC SALE BY SOLICITATION OF COMPETITIVE BIDS,
15 INCLUDING THE SUBSTANTIALLY FINAL FORM OF THE NOTICE OF SALE AND OTHER
16 DETAILS INCIDENT TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS;
17 AUTHORIZING THE MAYOR TO DETERMINE CERTAIN MATTERS PROVIDED FOR
18 HEREIN IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING AND
19 APPROVING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY AND A
20 FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BONDS, AND
21 ANY SUPPLEMENTS OR AMENDMENTS THERETO; DESIGNATING A BOND
22 REGISTRAR AND PAYING AGENT FOR THE BONDS AND PROVIDING FOR AN
23 AGREEMENT WITH SUCH ENTITY; AUTHORIZING THE PREPARATION, EXECUTION
24 AND DELIVERY OF A CONTINUING DISCLOSURE UNDERTAKING PURSUANT TO SEC
25 RULE 15c2-12 AND COVENANTING TO PROVIDE CONTINUING DISCLOSURE
26 RELATING TO THE BONDS; PROVIDING FOR THE APPROPRIATION, DISBURSEMENT
27 AND INVESTMENT OF THE PROCEEDS OF THE BONDS; PROVIDING FOR THE
28 IMPOSITION OF ANY TAXES NECESSARY FOR THE PAYMENT OF DEBT SERVICE ON
29 THE BONDS; PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING
30 POWER OF THE CITY TO THE PAYMENT OF SUCH DEBT SERVICE; PROVIDING THAT
31 DEBT SERVICE ON THE BONDS ALSO MAY BE PAID FROM ANY OTHER LAWFULLY
32 AVAILABLE SOURCES OF REVENUE; MAKING OR PROVIDING FOR CERTAIN
33 COVENANTS, DETERMINATIONS AND DESIGNATIONS RELATING TO THE TAX-
34 EXEMPT STATUS OF THE BONDS; AUTHORIZING CERTAIN CITY PERSONNEL TO
35 TAKE CERTAIN ACTIONS IN CONNECTION WITH THE BONDS; PROVIDING CERTAIN
36 RULES OF CONSTRUCTION; PROVIDING THAT THE PROVISIONS OF THIS
37 RESOLUTION SHALL BE LIBERALLY CONSTRUED; AND GENERALLY RELATING TO
38 THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF AND FOR THE BONDS.

39
40 RECITALS

41 WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland and a
42 municipality within the meaning of the Enabling Act identified below (the "City"), is authorized
43 and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the
44 Annotated Code of Maryland (previously codified as Sections 31 to 37, inclusive, of Article 23A
45 of the Annotated Code of Maryland), as replaced, supplemented or amended (the "Enabling Act"),

46 and Sections SC7-45 and SC7-46 of the Charter of the City, as replaced, supplemented or amended
47 (the “Charter”), to borrow money for any proper public purpose and to evidence such borrowing
48 by the issuance and sale of its general obligation bonds; and
49

50 WHEREAS, pursuant to Ordinance No. 2864, passed by the Council of the City (the
51 “Council”) on May 13, 2024, approved by the Mayor of the City (the “Mayor”) on May 15, 2024
52 and effective on May 15, 2024 (“Ordinance No. 2864”), the City authorized the issuance and sale
53 from time to time, upon its full faith and credit, of one or more series of its general obligation bonds
54 in an original aggregate principal amount not to exceed Thirteen Million Two Hundred Twelve
55 Thousand Seven Hundred Forty-Three Dollars (\$13,212,743) (the “Authorized Bonds”); and
56

57 WHEREAS, Ordinance No. 2864 provides that proceeds of the Authorized Bonds may be
58 applied to finance, reimburse or refinance any “costs” or “Costs of the Projects” (each as defined in
59 Section 3(b) of Ordinance No. 2864) of any of the projects identified in Section 3(b) of Ordinance
60 No. 2864 (collectively, the “Authorized Projects”); and
61

62 WHEREAS, the City desires to issue a series of general obligation bonds in order to finance
63 or reimburse costs of the Authorized Projects, including costs of issuance; and
64

65 WHEREAS, the financial advisor to the City has recommended that the series of general
66 obligation bonds provided for herein be sold at public sale by solicitation of competitive bids due to
67 the anticipated size of such series and because such method of sale is likely to result in the lowest
68 interest costs to the City in comparison with a negotiated underwriting or a direct purchase transaction;
69 and
70

71 WHEREAS, the Council has determined to sell the series of the general obligation bonds
72 provided for herein at public sale by solicitation of competitive bids and upon the terms and conditions
73 set forth in this Resolution, the proceeds of which general obligation bonds are to be used and applied
74 as herein set forth.
75

76 SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
77 THE CITY OF SALISBURY, MARYLAND that:
78

79 (a) The Recitals hereto constitute an integral part of this Resolution and are incorporated
80 herein by reference. Capitalized terms used in the Recitals and defined therein that are not otherwise
81 defined in the remaining Sections of this Resolution shall have the meanings given to such terms in
82 the Recitals.

83 (b) References in this Resolution to any official by title shall be deemed to refer (i) to any
84 official authorized under the Charter, the code of ordinances of the City (the “City Code”) or other
85 applicable law or authority to act in such titled official’s stead during the absence or disability of such
86 titled official, (ii) to any person who has been elected, appointed or designated to fill such position in
87 an acting or interim capacity under the Charter, the City Code or other applicable law or authority,
88 (iii) to any person who serves in a “deputy”, “associate” or “assistant” capacity as such an official,
89 provided that the applicable responsibilities, rights or duties referred to herein have been delegated to
90 such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable
91 law or authority, and/or (iv) to the extent an identified official commonly uses another title not

92 provided for in the Charter or the City Code, the official, however known, who is charged under the
93 Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights
94 or duties referred to herein.

95 (c) References in this Resolution to the “principal amount” of any of the Bonds (as
96 defined herein) shall be construed to mean the par amount of such Bonds, references in this Resolution
97 to “proceeds” shall be construed to mean par amount, any net original issue premium realized upon
98 sale and/or investment earnings, to the extent applicable. References in this Resolution to “investment
99 earnings” shall be construed to include interest income.

100
101 (d) To the extent this Resolution does not specifically identify how any responsibility,
102 right, power or duty delegated to the Mayor of the City (the “Mayor”) by the terms hereof shall be
103 evidenced, any such exercise may be evidenced conclusively by the execution and delivery by the
104 Mayor of an order with respect thereto.

105 (e) References in this Resolution to City officials shall be construed to include
106 references to City employees, to the extent applicable.

107 SECTION 2. AND BE IT FURTHER RESOLVED that:

108
109 (a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the
110 Charter, and Ordinance No. 2864, as applicable, and subject to the further provisions of this
111 Resolution, the City hereby determines to borrow money and incur indebtedness for the purpose of
112 financing or reimbursing all or any portion of any applicable components of the Costs of the Projects
113 identified in subsection (b) below.

114
115 (b) With respect to the projects listed below, the word “costs” shall include, as applicable,
116 costs of the following activities and expenses: land and right-of-way acquisition and development;
117 acquisition of other property rights; site and utility improvements, including, without limitation,
118 grading, landscaping, paving and repaving, sidewalk, curb, gutter, storm water, water and sewer
119 improvements, street lights, traffic control improvements, other amenities, and related or similar
120 activities and expenses; demolition, razing and removal and related or similar activities and expenses;
121 acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation,
122 upgrading, improvement, installation, furnishing and equipping activities and expenses, and related
123 or similar activities and expenses; planning, design, testing, study, feasibility, surveying, architectural,
124 engineering, document development, bidding, permitting, inspection, construction management,
125 financial, administrative and legal expenses, and related or similar activities and expenses;
126 contingencies; costs of issuance (which may include costs of bond insurance or other credit or
127 liquidity enhancement); interest during construction and for a reasonable period thereafter (whether
128 or not expressly so stated); and any such costs that may represent the City’s share or contribution to
129 the financing or reimbursement of the costs of any such project (collectively, “Costs of the Projects”).
130 The maximum original aggregate principal amount of the Bonds to be appropriated or applied to the
131 Costs of the Projects (exclusive of any net original issue premium realized upon sale or investment
132 earnings that may be applied for such purposes) shall be allocated among the following public purpose
133 projects in the maximum principal amount set forth opposite each, except as otherwise herein
134 provided:

135

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Station #16 HVAC Replacement (1)	\$ 130,000
2.	Downtown Street Scaping (1)	775,000
3.	TownSquare (1)	900,000
4.	Town Square (2)	200,000
5.	Rail Trail Master Plan Implementation (1)	700,000
6.	Apparatus Replacement – Rescue 16 (3)	1,625,000
7.	Johnson Pond Dam Improvements (3)	1,550,000
8.	Beaglin Park Dam Improvements (4)	100,000
9.	GOB Exterior Waterproofing (4)	175,000
10.	Zoo Facility Improvements (4)	350,000
11.	North Prong Park Land Acquisition (4)	100,000
12.	Street Light Additions and Replacement (4)	105,000
13.	Amphitheater Pedestrian Bridge (4)	125,000
14.	Restore Park Well Field (3)	175,000
15.	Restore Paleo Well Field (3)	217,000
16.	WWTP Electric Upgrades (3)	1,060,493
17.	Park Well Field Raw Water Main & Valve Rplc (3)	875,000
18.	Glen Avenue Lift Station (3)	750,000
19.	WWTP Outfall Inspection and Repairs (3)	500,000
20.	Southside Pump Station Force Main (3)	495,000
21.	Park Well Field (5)	550,000
22.	Park Well 2 (5)	350,000
23.	Solid Waste Disp (5)	810,250
24.	Southside Pump Station Force Main (6)	295,000
25.	Costs of Issuance (4)	297,257
	TOTAL	\$13,210,000

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¹ Project was approved for bond funding in fiscal year 2024 by the fiscal year 2023 budget ordinance (Ordinance No. 2721).

² Project was approved for additional bond funding in fiscal year 2024 by amendments to the fiscal year 2023 budget ordinance through Ordinance No. 2774.

³ Project was approved for bond funding in the fiscal year 2024 budget ordinance (Ordinance No. 2802).

⁴ Project was approved for bond funding during fiscal year 2024 by Ordinance No. 2865.

⁵ Project is scheduled to be approved for bond funding during fiscal year 2024 by amendments to the fiscal year 2024 budget ordinance.

⁶ Project is scheduled to be approved for additional bond funding during fiscal year 2024 by amendments to the fiscal year 2024 budget ordinance.

The projects, including costs of issuance, identified in items 1-25 above are collectively referred to herein as the “Projects.” The Projects described in items 1-25 above are identified by approximately

151 the same names as such Projects are identified in City budgets and related materials. By inclusion in
152 the table above, the City hereby appropriates up to the maximum principal amount of Bonds for
153 application to the Costs of the Projects as provided for in such table, subject to the further provisions
154 of this Resolution.

155
156 (c) The City, without notice to or the consent of any owners of the Bonds, may allocate
157 and reallocate the maximum principal amount of the Bonds (exclusive of any net original issue
158 premium realized upon sale or investment earnings that may be applied for such purposes) to be spent
159 on Costs of the Projects among any of the Projects in compliance with applicable budgetary
160 procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the
161 intention of the Council that the principal amount of the Bonds may be spent on any applicable Costs
162 of the Projects, notwithstanding the descriptive names used for the Projects in the table above,
163 including, without limitation, costs related to changes in the scopes of and/or names of the Projects
164 effected through applicable budgetary procedures or applicable law.

165
166 (d) The Council, by enactment of an ordinance to amend Ordinance No. 2864 and
167 adoption of a resolution to amend this Resolution, and without notice to or consent of the owners of
168 the Bonds, may reallocate any portion of the principal amount of the Bonds to be spent on Costs of
169 the Projects (as such definition may be amended by supplemental ordinance and resolution) of one or
170 more additional projects identified in such supplemental ordinance and supplemental resolution and,
171 in such event, (i) references in this Resolution to the "Projects" shall be deemed to include the Projects
172 identified in subsection (b) above and all such additional projects (unless any original or additional
173 project is removed entirely from the definition of the Projects by a supplemental ordinance and
174 supplemental resolution), and (ii) references in this Resolution to "Costs of the Projects" shall be
175 deemed to include any modifications to such definition, as applicable. After any such reallocation is
176 made by supplemental ordinance and supplemental resolution, the Council, without notice to or the
177 consent of the owners of the Bonds, may reallocate the maximum principal amount of the Bonds to
178 be spent on Costs of the Projects among all such authorized projects in compliance with applicable
179 budgetary procedures or applicable law.

180
181 (e) Subject to the provisions of Ordinance No. 2864 and this Resolution, by supplemental
182 resolution or as otherwise allowed by applicable law, and without notice to or the consent of any
183 owners of the Bonds, the Council may determine or provide for the determination of, and
184 subsequently reallocate, how any unexpended par amount of the Bonds, net original issue premium
185 realized upon sale and/or any investment earnings shall be expended, which may include, without
186 limitation, on Costs of the Projects (including costs of issuance), and/or on debt service payable or
187 prepayable on the Bonds, to the extent not prohibited by applicable law.

188
189 (f) If the portion of the original aggregate principal amount of the Bonds allocated to the
190 Costs of the Projects is reduced prior to or in connection with the sale of the Bonds as contemplated
191 by Section 4(c) of this Resolution, such reduction and the allocation of any net original issue premium
192 to the uses specified in the table above may be reflected in the Section 148 Certificate provided for in
193 Section 16 of this Resolution.

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195 SECTION 3. AND BE IT FURTHER RESOLVED that:

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(a) To evidence the borrowing and indebtedness authorized in Section 2(a) of this Resolution), the City, acting pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2864, as applicable, hereby determines to issue and sell, upon its full faith and credit, a series of its general obligation bonds and to designate such series as the “City of Salisbury Public Improvement Bonds of 2024” (the “Bonds”). The final aggregate principal amount of the Bonds shall not exceed \$13,210,000.

(b) Any particular bond of the series of the Bonds is referred to herein as a “Bond.”

(c) Other available moneys may be applied to the Costs of the Projects.

(d) The proceeds of the Bonds are hereby appropriated and allocated for the purpose of financing or reimbursing the Costs of the Projects, as the as the amounts to be applied to the Costs of the Projects may be finally determined in accordance with the provisions of this Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED that:

(a) The Bonds shall be issued in denominations of \$5,000 and integral multiples thereof. Subject to the provisions of Section 9 hereof, the Bonds shall be dated the date of their delivery and shall be issued initially in book-entry only form as fully registered bonds, without coupons attached, by issuing a single bond for each maturity of the Bonds registered in the name of Cede & Co., as partnership nominee for The Depository Trust Company or its successor (“DTC”); provided that, if DTC so requests, or a system of book-entry only registration is discontinued, replacement bonds shall be issued in denominations of \$5,000 and integral multiples thereof and shall be consecutively numbered in such manner as shall be determined by the Bond Registrar and Paying Agent (as defined in Section 11 of this Resolution).

(b) Subject to the further provisions of this Section 4 and the provisions of Section 9 hereof, the Bonds shall mature in annual serial maturities as designated by the successful bidder for the Bonds in accordance with the Official Notice of Sale (as defined in Section 9 hereof), on September 1, as follows:

[CONTINUED ON FOLLOWING PAGE]

Preliminary Maturity Schedule for Bonds*

<u>Date</u> <u>(September 1)</u>	<u>Serial Maturity</u>	<u>Date</u> <u>(September 1)</u>	<u>Serial Maturity</u>
2025	\$470,000	2033	\$ 830,000
2026	590,000	2034	875,000
2027	620,000	2035	910,000
2028	650,000	2036	945,000
2029	685,000	2037	980,000
2030	720,000	2038	1,020,000
2031	755,000	2039	1,060,000
2032	790,000		

234

235 * The maturity dates, principal amounts and determination of the serial bond maturities provided for
 236 in the foregoing table are subject to adjustment as provided herein.

237

238 (c) The \$11,900,000.00 original aggregate principal amount of the Bonds provided for
 239 in the amortization schedule set forth in subsection (b) above is based on an assessment of market
 240 conditions in mid-May 2024 and the expectation at that time that the successful bidder for the
 241 Bonds will submit a bid with an amount of net original issue premium significant enough to allow
 242 the City to reduce the principal (par) amount of the Bonds to be issued for the intended purposes
 243 of the issue. The Council hereby determines that it is in the best interest of the City to authorize
 244 and empower the Mayor, on behalf of the City, with the advice of the City Administrator, the
 245 Director of Finance, the financial advisor to the City and bond counsel to the City, to adjust the
 246 amortization schedule set forth in subsection (b) above from time to time prior to the sale of the
 247 Bonds in order to increase or decrease the original aggregate principal amount of the Bonds
 248 (subject to the limitation provided for in Section 3(a) of this Resolution), and to correspondingly
 249 adjust one or more of the principal amounts of the serial maturities provided for in the amortization
 250 schedule set forth in subsection (b) above upward or downward, and to the extent necessary, to
 251 eliminate one or more serial maturities of the Bonds provided for in the amortization schedule set
 252 forth in subsection (b) above, in order to (i) account for anticipated net original issue premium that
 253 may be applied to Costs of the Projects so as to avoid an over-issuance problem, (ii) address legal
 254 or tax considerations (including concerns of the eligibility of any particular Project for tax-exempt
 255 financing), (iii) account for the availability of other moneys for application to the Costs of the
 256 Projects, (iv) reflect a determination of the City not to finance or reimburse any particular
 257 component of the Costs of the Projects from proceeds of the Bonds or a determination of the City
 258 to reduce the amount of Bonds proceeds to be applied to any components of the Costs of the
 259 Projects, (v) account for any Project not already approved for bond funding not timely receiving
 260 such approval, (vi) account for any other legal or financial considerations, (vii) correct
 261 typographical or calculation errors, (viii) reflect then-current market conditions and/or (ix) address
 262 financial considerations impacting the City (including, without limitation, taking into account
 263 other debt service obligations of the City). Any such adjustments contemplated by this subsection
 264 (c) (i) shall be reflected in the Notice of Sale included as an appendix to the Preliminary Official
 265 Statement (as defined in Section 10 hereof) if such adjustments are made prior to release of the
 266 Preliminary Official Statement, or (ii) shall be communicated in accordance with the provisions of

267 the Notice of Sale included as an appendix to the Preliminary Official Statement if such
268 adjustments are made after release of the Preliminary Official Statement. In addition, the original
269 aggregate principal amount of the Bonds is subject to adjustment following receipt of bids for the
270 Bonds in accordance with the Official Notice of Sale.

271
272 (d) It is the stated intention of the Council that, to the extent available for such purpose,
273 any net original issue premium provided for in the successful bidder's bid for the Bonds be applied
274 to reducing the par amount of the Bonds needed for financing or reimbursing the Costs of the
275 Projects (after giving effect to the payment of underwriter's discount from any such net original
276 issue premium).

277
278 (e) The Bonds shall bear interest at the rate or rates named by the successful bidder
279 therefor in accordance with the terms of the Official Notice of Sale and as approved by the Mayor's
280 execution and delivery of an order or orders upon award of the Bonds. Subject to the further
281 provisions of this Section 4 and Section 9 hereof, interest on the Bonds shall be payable on March 1,
282 2025 and semi-annually thereafter on each September 1 and March 1 until maturity or prior
283 redemption. Interest payments due on the Bonds shall be made to the registered owners thereof who
284 are the registered owners of record as of the 15th day of the calendar month immediately preceding
285 the month in which such interest payment date occurs. The Bonds shall bear interest from the most
286 recent date to which interest has been paid or, if no interest has been paid, from their dated date (which
287 shall be their date of issuance). Interest shall be computed on the basis of a 360-day year consisting
288 of 12 30-day months.

289
290 (f) The principal or redemption price (if any) of the Bonds shall be payable at the office
291 designated by the Bond Registrar and Paying Agent. Interest on the Bonds shall be payable by check
292 or draft of the Bond Registrar and Paying Agent mailed to the owners thereof; provided that, so long
293 as the Bonds are registered in book-entry form under a book-entry only system maintained by DTC,
294 any successor thereto or any replacement securities depository (DTC or any replacement securities
295 depository, the "Securities Depository"), payments of the principal or redemption price (if any) of
296 and interest on the Bonds shall be made as required by the rules and regulations of such Securities
297 Depository.

298
299 (g) Notwithstanding the foregoing provisions of this Section 4, the Mayor, with the advice
300 of the City Administrator, the Director of Finance, the financial advisor to the City and bond counsel
301 to the City, as applicable, may determine that interest payment dates on the Bonds will be other than
302 March 1 and September 1, and principal payment dates will be other than September 1, in order to
303 accommodate cash flow, budgetary or other considerations. Any such adjustments to the interest
304 and principal payment dates for the Bonds (i) shall be reflected in the Notice of Sale included as
305 an appendix to the Preliminary Official Statement if such adjustments are made prior to release of
306 the Preliminary Official Statement, or (ii) shall be communicated in accordance with the provisions
307 of the Notice of Sale included as an appendix to the Preliminary Official Statement if such
308 adjustments are made after release of the Preliminary Official Statement.

309
310 (h) Appropriate provisions relating to any determinations made by the Mayor in
311 accordance with the provisions of this Section 4 may be reflected in the order or orders of award
312 executed and delivered by the Mayor in connection with the sale of the Bonds, in the Official

313 Statement provided for in Section 10(b) of this Resolution, in the final form of the Bonds executed
314 and delivered in connection with Sections 6 and 8 hereof, in a separate order of the Mayor, in the
315 Section 148 Certificate provided for in Section 16 hereof and, to the extent any such determinations
316 are made prior to the release of the Preliminary Official Statement, in the Preliminary Official
317 Statement or any supplement thereto, as applicable.

318

319 SECTION 5. AND BE IT FURTHER RESOLVED that:

320

321 (a) Subject to the further provisions of Section 9 of this Resolution, the Bonds that mature
322 on and after September 1, 2035 are subject to redemption prior to maturity at the option of the City,
323 in whole or in part, on any date on and after September 1, 2034, in any order of maturity directed by
324 the City, at a redemption price of the par amount of the Bonds to be redeemed, together with interest
325 accrued on the par amount being redeemed to the date fixed for redemption, without premium or
326 penalty. Notwithstanding the foregoing provisions of this subsection (a), in the event the interest
327 and principal payment dates of the Bonds are adjusted in accordance with Section 4(g) of this
328 Resolution, the optional redemption features of the Bonds shall be adjusted accordingly by the
329 Mayor; and provided further that the Mayor, with the advice of the City Administrator, the Director
330 of Finance and the financial advisor to the City, is also authorized to adjust the date as of which
331 the Bonds shall first be subject to redemption at the option of the City in a manner that does not
332 adversely affect the interests of the City (taking into account market conditions and including
333 providing for any redemption premium recommended by the financial advisor to the City). Any
334 such adjustments contemplated by this subsection (a) (i) shall be reflected in the Notice of Sale
335 included as an appendix to the Preliminary Official Statement if such determination is made prior
336 to release of the Preliminary Official Statement, or (ii) shall be communicated in accordance with
337 the provisions of the Notice of Sale included as an appendix to the Preliminary Official Statement
338 if such determination is made after release of the Preliminary Official Statement.

339

340 (b) If fewer than all of the Bonds of any one maturity shall be called for redemption at
341 the option of the City, the particular Bonds or portions thereof to be redeemed from such maturity
342 shall be selected by lot by the Bond Registrar and Paying Agent; provided that, so long as the
343 Bonds are registered in the name of a Securities Depository or its nominee, such selection shall be
344 made by such Securities Depository in accordance with its rules and regulations.

345

346 (c) When less than all of a Bond in a denomination in excess of \$5,000 is redeemed by
347 optional redemption, then, upon surrender thereof, there shall be issued without charge to the
348 registered owner thereof, for the unredeemed balance of the principal amount of such Bond, at the
349 option of such owner, Bonds of the same maturity in any of the authorized denominations specified
350 by the registered owner. The aggregate face amount of Bonds so issued shall be equal to the
351 unredeemed balance of the principal amount of the Bond surrendered, and the Bonds issued shall
352 bear interest at the same rate and shall mature on the same date as the unredeemed balance of the
353 Bond surrendered.

354

355 (d) When any Bonds are to be redeemed by optional redemption, the City shall cause
356 a redemption notice to be given to the registered owners of the Bonds to be redeemed in whole or
357 in part by mailing such notice by first class mail, postage prepaid, at least thirty (30) days prior to
358 the date fixed for redemption to the addresses of such registered owners appearing on the

359 registration books kept by the Bond Registrar and Paying Agent; provided, however, that the
360 failure to mail a redemption notice or any defect in a notice so mailed, or in the mailing thereof,
361 shall not affect the validity of the redemption proceedings. The redemption notice shall state (i)
362 whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities, numbers,
363 principal amounts, interest rates and CUSIP numbers of the Bonds to be redeemed, (ii) that the
364 interest on the Bonds (or portions thereof) to be redeemed shall cease to accrue on the date fixed
365 for redemption, (iii) the date fixed for redemption, (iv) the address of the office of the Bond
366 Registrar and Paying Agent with a contact person and phone number, (v) any conditions to such
367 redemption, and (vi) that the Bonds to be redeemed in whole or in part shall be presented for
368 redemption and payment on the date fixed for redemption at the designated office of the Bond
369 Registrar and Paying Agent. Notwithstanding anything to the contrary contained in this subsection
370 (d), so long as the Bonds to be redeemed at the option of the City in whole or in part are registered
371 in book-entry only form with a Securities Depository, any redemption notice relating to such
372 Bonds or portions thereof shall be given in the manner and at the time required by the rules and
373 regulations of such Securities Depository.

374
375 (e) From and after the date fixed for redemption, if funds sufficient for the payment of
376 the redemption price and accrued interest are available on such date, the Bonds or portions thereof
377 designated for redemption shall cease to bear interest from and after such date. Upon presentation
378 and surrender for redemption, the Bonds or portions thereof to be redeemed shall be paid by the
379 Bond Registrar and Paying Agent at the redemption price, plus accrued interest on the principal
380 amount being redeemed to the date fixed for redemption. If they are not paid upon presentation,
381 the Bonds or portions thereof designated for redemption shall continue to bear interest at the rate
382 or rates stated therein until paid.

383
384 SECTION 6. AND BE IT FURTHER RESOLVED that the Bonds shall be executed in the
385 name of the City and on its behalf by the Mayor, by manual or facsimile signature or by any other
386 means authorized by applicable law. The corporate seal of the City shall be affixed to the Bonds
387 (manually or by facsimile or by any other means authorized by applicable law) and attested by the
388 signature of the City Clerk of the City (the “City Clerk”), by manual or facsimile signature or by any
389 other means authorized by applicable law. The Bonds shall be issued subject to registration as to
390 principal and interest in the name of the owner or owners thereof on the books kept for registration
391 and registration of transfer of the Bonds at the designated office of the Bond Registrar and Paying
392 Agent. The Bonds shall be authenticated by the manual signature of an authorized officer of the Bond
393 Registrar and Paying Agent (or by any other means authorized by applicable law). The Bonds shall
394 not be valid for any purpose or constitute an obligation of the City unless so authenticated. In the
395 event any official of the City whose signature appears on the Bonds shall cease to be such official
396 prior to the delivery of the Bonds, or, in the event any such official whose signature appears on the
397 Bonds shall have become such after the date of issue thereof, the Bonds shall nevertheless be valid
398 and binding obligations of the City in accordance with their terms. The provisions of this Section 6
399 are subject to the further provisions of this Resolution.

400
401 SECTION 7. AND BE IT FURTHER RESOLVED that:

402
403 (a) Any Bond shall be transferable only upon the registration books kept for the Bonds at
404 the designated office of the Bond Registrar and Paying Agent by the registered owner in person, or

405 by his duly authorized attorney in writing, upon surrender thereof, together with a written instrument
406 of transfer in the form attached thereto and satisfactory to the Bond Registrar and Paying Agent and
407 duly executed by the registered owner thereof in person, or by his attorney duly authorized in writing,
408 but no Bond will be transferred unless the Security Depository then in place determines to discontinue
409 providing its services as a securities depository or directs that the Bonds be re-registered in a different
410 name or denomination, or unless the Securities Depository then in place is removed by the City.

411
412 (b) A Bond may be transferred or exchanged at the designated office of the Bond
413 Registrar and Paying Agent. Upon any such transfer or exchange, the City shall issue, and the Bond
414 Registrar and Paying Agent shall authenticate and deliver, a new registered Bond or Bonds in
415 authorized denomination or denominations equal to the aggregate principal amount of the Bond
416 transferred or exchanged, with the same maturity date, and bearing interest at the same rate.

417
418 (c) The Bond Registrar and Paying Agent shall not be required to transfer or exchange
419 any Bond after the mailing or giving of notice of call of such Bond for redemption in whole or in part
420 at the City's option.

421 (d) If any Bond shall become mutilated or be destroyed, lost or stolen, the City in its
422 discretion may execute, and upon its request the Bond Registrar and Paying Agent shall
423 authenticate and deliver, a new Bond or Bonds in exchange for the mutilated Bond or in lieu of
424 and substitution for the Bond so destroyed, lost or stolen. In every case of exchange or substitution,
425 the applicant shall furnish to the City and to the Bond Registrar and Paying Agent such security or
426 indemnity as may be required by them to save each of them harmless from all risks, however
427 remote, and the applicant shall also furnish to the City and to the Bond Registrar and Paying Agent
428 evidence to their satisfaction of the mutilation, destruction, loss or theft of the applicant's Bond.
429 If any Bond which has matured or is about to mature shall become mutilated or be destroyed, lost
430 or stolen, instead of issuing a Bond in exchange or substitution therefor, the City may pay or
431 authorize the payment of such Bond (without surrender thereof except in the case of a mutilated
432 Bond) if the applicant for such payment shall furnish to the City and to the Bond Registrar and
433 Paying Agent such security or indemnity as they may require to save them harmless, and evidence
434 to the satisfaction of the City and the Bond Registrar and Paying Agent of the mutilation,
435 destruction, loss or theft of such Bond.

436 (e) Any new Bond issued in transfer or exchange may be executed and sealed as
437 provided in Section 6 hereof with respect to the original execution and delivery of the Bonds, or
438 as otherwise required or authorized by then-applicable law, and appropriate changes may be made
439 to the form of the Bond issued in transfer or exchange to account for the dated date of the Bond
440 issued in transfer or exchange and the then-outstanding principal amount of the Bonds and/or such
441 maturity of the Bonds. In each case, the Bond Registrar and Paying Agent may require payment by
442 the registered owner requesting such transfer or exchange of any tax, fee or other governmental
443 charge, shipping charges or insurance that may be required to be paid with respect to such transfer or
444 exchange, but otherwise no charge shall be made to the registered owner for such transfer or exchange.

445
446 **SECTION 8.** AND BE IT FURTHER RESOLVED that except as provided hereinafter or
447 in a resolution or resolutions of the Council adopted prior to the issuance of the Bonds, the Bonds
448 shall be issued in substantially the form attached hereto as Exhibit A and incorporated by reference
449 herein. Appropriate variations, deletions and insertions may be made by the Mayor to reflect

450 determinations made in accordance with the provisions of this Resolution, to provide names, dates,
451 numbers, interest rates and amounts, to comply with recommendations of legal counsel, as required
452 by any rating agency as a condition precedent to, or as otherwise related to, obtaining a rating on the
453 Bonds from such rating agency, or to make other modifications not specifically provided for herein
454 that do not materially alter the substance of the Bonds. All of the covenants contained in the form
455 attached hereto as Exhibit A, as such form shall be finally completed and executed in accordance with
456 Section 6 and this Section 8, are hereby adopted by the City as and for the form of obligations to be
457 incurred by the City, and the covenants and conditions contained therein are hereby made binding
458 upon the City, including the promise to pay therein contained. The execution and delivery of the
459 Bonds by the Mayor in accordance with this Resolution shall be conclusive evidence of the approval
460 by the Mayor of the final form of the Bonds and any variations, insertions, omissions, notations,
461 legends or endorsements authorized by this Resolution.

462

463 SECTION 9. AND BE IT FURTHER RESOLVED that:

464

465 (a) The Council has determined, based on the advice of the financial advisor to the City
466 and with the concurrence of the City Administrator and the Director of Finance in such advice, to
467 sell the Bonds at public sale by solicitation of competitive bids due to the expected issue size and the
468 expectation that such a public sale will result in the lowest true interest cost for the Bonds as opposed
469 to a sale through a negotiated underwriting or a direct purchase transaction. Electronic bids only
470 shall be submitted through the applicable system of BiDCOMP/Parity@/www.i-
471 dealprospectus.com system (referred to herein, as applicable, as “Parity”). The Bonds shall be
472 offered for sale, subject to the further provisions of this Resolution, at public sale by competitive
473 bidding on Tuesday, June 11, 2024, with electronic bids for the Bonds to be accessible at 11:00
474 A.M. prevailing Eastern time, or on such other date and/or at such other time as may be determined
475 by the Mayor, who is hereby authorized and empowered to fix such other date and/or time for the
476 sale of the Bonds as he shall determine is necessary or appropriate after consulting with the City
477 Administrator, the Director of Finance, the financial advisor to the City and bond counsel to the
478 City, including, without limitation, to account for shifts in market conditions and/or to
479 accommodate other scheduling considerations. Any such other date of sale and/or time of sale for
480 the Bonds as determined by the Mayor (i) shall be reflected in the Notice of Sale included as an
481 appendix to the Preliminary Official Statement if such determination is made prior to release of
482 the Preliminary Official Statement, or (ii) shall be communicated in accordance with the provisions
483 of the Notice of Sale included as an appendix to the Preliminary Official Statement if such
484 determination is made after release of the Preliminary Official Statement.

485

486 (b) Subject to the further provisions of this Section 9, the City shall sell the Bonds for
487 cash at not less than par to the bidder therefor whose bid is determined to be the best responsible
488 bid received in compliance with the terms and conditions of the Official Notice of Sale, unless the
489 Mayor determines to reject all bids for the Bonds. The successful bidder for the Bonds will be
490 required to provide a good faith deposit of 1% of the par amount of the Bonds (such 1% amount
491 to be based on the par amount of the Bonds provided for in the Notice of Sale included as an
492 appendix to the Preliminary Official Statement, unless such amount is further modified in
493 accordance with such Notice of Sale included as an appendix to the Preliminary Official
494 Statement).

495

496 (c) The Council hereby determines in accordance with Section SC7-46 of the Charter
497 that it is in the best interest of the City to provide public notice of the sale of the Bonds (the “Notice
498 of Sale”) by including the Notice of Sale as an appendix to the Preliminary Official Statement,
499 which Preliminary Official Statement shall be available electronically by being posted on www.i-
500 dealprospectus.com. The Notice of Sale may also be disseminated or made available by such other
501 means as the financial advisor to the City may recommend. The Notice of Sale shall be in
502 substantially the form attached hereto as Exhibit B and incorporated by reference herein.
503 Appropriate variations, modifications and insertions may be made to the Notice of Sale by the
504 Mayor, on behalf of the City, with the advice of the City Administrator, the Director of Finance,
505 bond counsel to the City and/or the financial advisor to the City, prior to the release of the
506 Preliminary Official Statement, including, without limitation, to provide dates, numbers and
507 amounts, to reflect determinations made in accordance with the provisions of this Resolution, to
508 change the bid specification parameters or the time by when bids must be submitted, to modify the
509 manner of adjusting the amortization schedule pre- or post-sale, to modify the amount or method
510 of delivery for the good faith deposit for the Bonds, to modify the method of establishing the issue
511 price of the Bonds in accordance with Section 1.148-1 of the Treasury Regulations (as defined in
512 Section 16 hereof), to change the sale date for the Bonds or the date for delivery of the Bonds, to
513 comply with recommendations of legal counsel or the financial advisor to the City, or to undertake
514 other modifications not specifically contemplated by this Resolution but not materially altering the
515 substance of the Notice of Sale attached hereto as Exhibit B to carry into effect the purposes of
516 this Resolution. The terms and conditions stated in the Notice of Sale as so included as an appendix
517 to the Preliminary Official Statement, as the same may be further modified as provided in
518 subsection (e) below, are made a part hereof and are hereby adopted and approved as the terms
519 and conditions under which and the manner in which the Bonds shall be sold, issued and delivered
520 at public sale.

521
522 (d) The Mayor, with the advice of the City Administrator, the Director of Finance, the
523 financial advisor to the City and/or bond counsel to the City, is hereby further authorized and
524 empowered to make any determinations or to take any actions provided for in this Resolution or
525 the Notice of Sale subsequent to the release of the Preliminary Official Statement, including
526 (without limitation) making further modifications to the Notice of Sale of the nature contemplated
527 by subsection (c) above. Any such additional modifications will be made prior to the sale and
528 communicated through or on TM3 News Service or the applicable system of Parity; in addition,
529 the Mayor may, but shall not be required, to execute and deliver an order or orders providing for
530 such modifications.

531
532 (e) The form of Notice of Sale set forth as an appendix to the Preliminary Official
533 Statement (as such Notice of Sale set forth as an appendix to the Preliminary Official Statement may
534 be further modified in accordance with the provisions of this Section 9), shall control the terms on
535 which the Bonds shall be offered for sale and shall constitute the official Notice of Sale for the Bonds
536 (the “Official Notice of Sale”). The terms and conditions stated in the Official Notice of Sale are
537 made a part hereof and are hereby adopted and approved as the terms and conditions under which
538 and the manner in which the Bonds shall be sold at public sale.

539
540 (f) After accessing the electronic bids for the Bonds, the Mayor is hereby authorized
541 and empowered to reject all bids for the Bonds if the Mayor determines with the advice of the

542 financial advisor to the City, the City Administrator, the Director of Finance and/or bond counsel
543 to the City that such action is in the City's best interest. Assuming bids for the Bonds are not so
544 rejected, the Mayor shall conduct the sale and shall sell the Bonds in the name of the City and on
545 its behalf for cash at no less than par (and within any premium limitations provided for in the
546 Official Notice of Sale) to the bidder whose bid is determined to be the best responsible bid
547 received for the Bonds in compliance with the terms and conditions of the Official Notice of Sale.
548 With the advice of the City Administrator, the Director of Finance, the financial advisor to the City
549 and bond counsel to the City, the Mayor is hereby authorized and empowered to adjust the original
550 aggregate principal amount of the Bonds and/or to adjust the amortization schedule therefor
551 following receipt of bids in accordance with the provisions of the Official Notice of Sale if the
552 Mayor determines with the advice of the financial advisor to the City and the Director of Finance
553 that such action is in the City's best interest. The final original aggregate principal amount of, and
554 final amortization schedule for, the Bonds, if awarded, shall be evidenced conclusively by the
555 Mayor's execution and delivery of an order or orders of award of the Bonds reflecting such
556 determinations. The award of, or rejection of all bids for, the Bonds may also be reflected on
557 Parity. Any award of the Bonds shall be made after receipt of the good faith deposit therefor in
558 accordance with the provisions of the Official Notice of Sale.
559

560 (g) Notwithstanding anything to the contrary contained in this Resolution, in the event
561 all bids for the Bonds are rejected at a sale actually conducted and a new sale date is established
562 for the Bonds in accordance with the Official Notice of Sale, the Mayor, on behalf of the City, is
563 hereby authorized and empowered to change the dated date of the Bonds, the principal and interest
564 payment dates for the Bonds, the amortization schedule for the Bonds, the optional redemption
565 features of the Bonds (subject to the provisions of Section 5 hereof), if applicable, and the date of
566 delivery of the Bonds accordingly, such changes to be disseminated or otherwise made available
567 through or on TM3 News Service or the applicable system of Parity as provided in this Section 9
568 and to be evidenced conclusively by the Mayor's execution and delivery of an order or orders
569 (which may be encompassed within the order of award) pursuant to the provisions of and within
570 any limitations specified in this Resolution and the Official Notice of Sale.
571

572 (h) References in this Resolution to the successful bidder for the Bonds are deemed to
573 be to multiple successful bidders in the event the Bonds are allocated among bidders in accordance
574 with the Official Notice of Sale.
575

576 (i) The City anticipates obtaining ratings from Moody's Investors Service, Inc. and
577 S&P Global Ratings (by whatever legal names known). The Director of Finance, with the advice
578 of the financial advisor to the City, is hereby authorized and empowered to determine on behalf of
579 the City whether (i) the City will obtain a rating from only one of such rating agencies, and/or (ii)
580 whether bidders for the Bonds will be allowed to obtain a municipal bond insurance policy (at their
581 own expense) for all or any maturities of the Bonds. The substantially final form of the Notice of
582 Sale attached to this Resolution as Exhibit B does *not* anticipate that bidders will be allowed to
583 submit bids that are based on an expectation that one or more maturities of the Bonds will be
584 insured by municipal bond insurance. In the event the Director of Finance determines with the
585 advice of the financial advisor to the City that bidders may bid using municipal bond insurance,
586 the applicable form of the Official Notice of Sale shall be edited prior to release of the Preliminary

587 Official Statement or shall be modified by notice released on Parity or TM3 to reflect such
588 determination, as applicable.

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SECTION 10. AND BE IT FURTHER RESOLVED that:

592 (a) The preparation and distribution of a Preliminary Official Statement of the City in
593 connection with the issuance and sale of the Bonds (the “Preliminary Official Statement”), in such
594 form as may be approved by the Mayor and the Director of Finance, is hereby approved. The
595 Mayor and the Director of Finance, on behalf of the City, are hereby authorized and directed to
596 approve the final form of the Preliminary Official Statement in accordance with this Section 10(a)
597 and to make any appropriate variations, insertions or modifications to the Preliminary Official
598 Statement not inconsistent with the provisions of the Enabling Act, Sections SC7-45 and SC7-46
599 of the Charter, Ordinance No. 2864 or this Resolution, or to comply with the recommendations of
600 appropriate City officials, legal counsel or the financial advisor to the City, or as required by any
601 rating agency as a condition precedent to, or as otherwise related to, obtaining a rating on the
602 Bonds from any such rating agency, such approval to be evidenced conclusively by the execution
603 and delivery by the Mayor and the Director of Finance, on behalf of the City, of a certificate
604 deeming the Preliminary Official Statement to be final as of its date for purposes of Securities and
605 Exchange Commission Rule 15c2-12(b)(1), subject to revision, completion and amendment in a
606 final official statement. The Preliminary Official Statement shall be posted electronically and/or
607 printed as the financial advisor to the City shall advise.

608

609 (b) The preparation and distribution of a final Official Statement relating to the Bonds
610 (the “Official Statement”), substantially in the form of the Preliminary Official Statement, with
611 such changes, corrections, additions and deletions not inconsistent with the provisions of the
612 Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2864 or this Resolution,
613 to reflect matters determined in connection with the sale of the Bonds, or to comply with the
614 recommendations of the City Administrator, the Director of Finance, legal counsel or the financial
615 advisor to the City, or as required by any rating agency as a condition precedent to, or as otherwise
616 related to, obtaining a rating on the Bonds from any such rating agency, or as required by any
617 provider of municipal bond insurance for all or any portion of the Bonds selected by the successful
618 bidder for the Bonds in accordance with the Official Notice of Sale (if the Official Notice of Sale
619 permits bidders to bid with bond insurance), as the Mayor and the Director of Finance shall
620 approve on behalf of the City, is hereby authorized and approved. The Mayor and the Director of
621 Finance are hereby authorized and directed to approve the final form of the Official Statement on
622 behalf of the City, such approval to be evidenced conclusively by the Mayor’s and the Director of
623 Finance’s execution and delivery of the Official Statement. The Official Statement shall be posted
624 electronically and/or printed as the financial advisor to the City shall advise and as may be required
625 by the successful bidder for the Bonds.

626

627 (c) The Mayor and the Director of Finance, with the advice of, to the extent applicable,
628 other appropriate City officials, legal counsel or the financial advisor to the City, as applicable, are
629 hereby authorized and directed to approve any supplements or amendments to the Preliminary
630 Official Statement or the Official Statement deemed necessary or desirable after the printing or
631 posting of the same (including, without limitation, to correct any material misstatement or
632 omission or to provide any information that was not available at the time such Preliminary Official

633 Statement or Official Statement was released), such approval to be evidenced conclusively by the
634 Mayor's and the Director of Finance's execution and delivery of any such supplement or
635 amendment. Any such supplement or amendment to the Preliminary Official Statement or the
636 Official Statement may be posted electronically and/or printed as the financial advisor to the City
637 shall advise or as the successful bidder for the Bonds may require, as applicable.
638

639 (d) Any signature of the Mayor or the Director of Finance contemplated by this Section
640 10 may be made in facsimile or indicated by other customary signature convention rather than by
641 manual signature.
642

643 SECTION 11. AND BE IT FURTHER RESOLVED that:
644

645 (a) Manufacturers and Traders Trust Company, with offices in Baltimore, Maryland
646 and Buffalo, New York, any affiliate thereof, or any successor thereto, by merger, consolidation,
647 or otherwise, is hereby designated as Bond Registrar and Paying Agent (the "Bond Registrar and
648 Paying Agent") for the Bonds. The Mayor is hereby authorized to execute and deliver such written
649 agreement with the Bond Registrar and Paying Agent as he shall deem to be necessary or
650 appropriate. The City may designate another entity as Bond Registrar and Paying Agent for the
651 Bonds upon 30 days' prior written notice to the registered owners of the Bonds.
652

653 (b) Prior to each semi-annual interest payment date, the Director of Finance or other
654 appropriate City official shall deposit with the Bond Registrar and Paying Agent, from the tax
655 proceeds described in Section 15 below and/or from any other funds then legally available for such
656 purpose, the amounts needed to pay the interest on and any principal of the Bonds coming due on
657 each such interest payment date. All moneys so deposited with the Bond Registrar and Paying
658 Agent shall be deemed and treated by the Bond Registrar and Paying Agent as trust funds for the
659 use and benefit of the registered owners from time to time of the Bonds. Any such trust funds held
660 by the Bond Registrar and Paying Agent for the payment of particular Bonds for periods of more
661 than three years from their maturities or such other periods as may be required by applicable law,
662 because of the failure of the registered owners of such Bonds to present them for payment or
663 because checks issued by the Bond Registrar and Paying Agent in payment of interest shall not
664 have been cashed and no registered owner of a Bond shall have established a right to payment of
665 interest within such period, shall be returned by the Bond Registrar and Paying Agent to the City
666 and, thereafter, the registered owners of any such Bonds shall have claims only against the City
667 for payment of the obligations held by them, and the Bond Registrar and Paying Agent shall be
668 relieved of the trust hereby imposed.
669

670 SECTION 12. AND BE IT FURTHER RESOLVED that the Mayor and the Director of
671 Finance shall approve, execute and deliver in the name and on behalf of the City a continuing
672 disclosure undertaking for the benefit of the owners and beneficial owners of the Bonds in order
673 to assist the bidders for the Bonds in complying with Securities and Exchange Commission Rule
674 15c2-12(b)(5). The City shall covenant in the continuing disclosure undertaking that the City will
675 provide to the repository or repositories required by Securities and Exchange Commission Rule
676 15c2-12, specified annual financial information and operating data (including audited financial
677 statements). The City shall further covenant in the continuing disclosure undertaking to provide
678 notice of the occurrence of certain specified events to the repository or repositories required by

679 Securities and Exchange Commission Rule 15c2-12. The continuing disclosure undertaking may
680 provide that the place or places of delivery of such information shall be subject to change in
681 accordance with the rules and pronouncements of the Securities and Exchange Commission or
682 other appropriate authority and shall otherwise meet the requirements of Rule 15c2-12.

683 SECTION 13. AND BE IT FURTHER RESOLVED that as soon as may be practicable after
684 the sale hereinabove provided for has been held, the Bonds (unless all bids for the Bonds are rejected
685 in accordance with Section 9 hereof) shall be suitably prepared in definitive form, executed and
686 delivered to the successful bidder therefor upon receipt of the purchase price therefor, less the good
687 faith deposit for the Bonds provided for in the Official Notice of Sale, and less any underwriter's
688 discount retained by the successful bidder for the Bonds. It is anticipated that the date of issuance of
689 the Bonds will be June 25, 2024; provided that, the Mayor, with the advice of the City Administrator,
690 the Director of Finance, the financial advisor to the City and bond counsel to the City, may determine
691 to move the date of issuance of the Bonds to another date satisfactory to such persons. The Mayor,
692 the City Administrator, the Director of Finance, the City Clerk and all other appropriate officials the
693 City are expressly authorized, empowered and directed to (i) take any and all action not otherwise
694 expressly provided for herein or in Ordinance No. 2864 that is appropriate or necessary to complete
695 and close the award, sale and delivery of the Bonds to the successful bidder therefor, (ii) negotiate,
696 approve, execute and deliver all documents, certificates and instruments necessary or appropriate in
697 connection therewith that are not otherwise expressly provided for herein, including, without
698 limitation, executing and delivering any agreements, documents, certificates or instruments required
699 by any rating agency rating the Bonds, by any municipal bond insurer providing bond insurance for
700 the Bonds (if applicable) or by DTC with respect to the book-entry system of registration of the Bonds,
701 and (iii) carry out the transactions contemplated by Ordinance No. 2864, this Resolution, and any
702 documents, certificates or instruments executed and delivered in connection with the Bonds. Any
703 such action taken by the applicable officials prior to adoption of this Resolution is hereby ratified,
704 confirmed and approved by virtue of the adoption of this Resolution.

705 SECTION 14. AND BE IT FURTHER RESOLVED that:

706
707 (a) The net proceeds of the sale of the Bonds shall be paid to the Director of Finance or
708 other authorized City official. The proceeds of the Bonds shall be deposited in the proper account or
709 accounts of the City, may be invested within the limits prescribed by Maryland and federal law, and
710 shall be used and applied exclusively for the purposes described herein. Within any applicable
711 limitations of the Internal Revenue Code of 1986, as amended (the "Code"), or Maryland law, any
712 investment earnings on proceeds of the Bonds received by the City may be applied to pay Costs of
713 the Projects, to pay costs of issuance of the Bonds, to pay debt service on the Bonds or for any other
714 legal purpose. The City, without notice to or the consent of the owners of the Bonds, but subject to
715 any applicable provisions of Ordinance No. 2864 or this Resolution, may allocate and reallocate
716 proceeds of the Bonds to qualifying expenditures by resolution or as otherwise allowed by applicable
717 law. Nothing in this Resolution shall be construed to authorize the expenditure of any moneys
718 constituting proceeds of the Bonds except for a proper public purpose.

719
720 (b) Notwithstanding the foregoing provisions of this Section 14, any portion of the
721 proceeds of the Bonds to be applied to costs of issuance (other than with respect to any underwriter's
722 discount retained by the successful bidder for the Bonds) may be paid by the successful bidder for the

723 Bonds directly to the person or entity entitled thereto at the written direction of the appropriate official
724 or officials of the City.

725

726 SECTION 15. AND BE IT FURTHER RESOLVED that for the purpose of paying the
727 principal of and interest on the Bonds when due, the City shall impose, for each and every fiscal year
728 during which the Bonds may be outstanding, ad valorem taxes on all real and tangible personal
729 property in the City that is subject to assessment for unlimited municipal taxation at a rate and in an
730 amount sufficient to pay the principal of and interest on the Bonds in each such fiscal year. In the
731 event the proceeds from the collection of the taxes so imposed may prove inadequate for such
732 purposes in any fiscal year, additional taxes shall be imposed in the subsequent fiscal year to make
733 up such deficiency. The full faith and credit and unlimited taxing power of the City are hereby
734 pledged to the payment of the principal of and interest on the Bonds as and when the same become
735 due and are payable and to the imposition of the taxes hereinabove prescribed as and when such taxes
736 may become necessary in order to provide sufficient funds to meet the debt service requirements of
737 the Bonds. The City hereby covenants with the registered owners of the Bonds to take any further
738 action that may be lawfully appropriate from time to time during the period that the Bonds remain
739 outstanding and unpaid to provide the funds necessary to pay promptly the principal thereof and
740 interest due thereon. The foregoing provisions shall not be construed so as to prohibit the City from
741 paying the principal of and interest on the Bonds from the proceeds of the sale of any other obligations
742 of the City or from any other funds legally available for that purpose, including, without limitation,
743 with respect to the Projects listed as items 14-24 in the table in Section 3(b) of this Resolution from
744 the Water/Sewer Fund of the City (as such fund may be otherwise known, reconstituted or renamed),
745 to the extent moneys in such fund and the accounts therein are available for such purpose. Subject to
746 any limitation provided for in the Code or other applicable law, the City may apply to the payment of
747 the principal of or interest on the Bonds any funds received by it from the State of Maryland or the
748 United States of America, or any governmental agency or instrumentality, or from any other source,
749 if such funds are granted or paid to the City for the purpose of assisting the City in accomplishing the
750 type of project or projects which the Bonds are issued to refinance or are otherwise available for such
751 purpose, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby
752 required to be levied may be reduced proportionately.

753

754 SECTION 16. AND BE IT FURTHER RESOLVED that:

755

756 (a) Any one or more of the Mayor, the City Administrator and the Director of Finance
757 shall be the officials of the City responsible for the issuance of the Bonds within the meaning of
758 Section 1.148-2(b)(2) of the Treasury Regulations. Any one or more of the Mayor, the City
759 Administrator and the Director of Finance also shall be the officials of the City responsible for the
760 execution and delivery (on the date of the issuance of the Bonds) of a certificate of the City (the
761 "Section 148 Certificate") that complies with the requirements of Section 148 of the Code and the
762 applicable income tax regulations (the "Treasury Regulations"), and such official(s) are hereby
763 authorized and directed to approve, execute and deliver the Section 148 Certificate to counsel
764 rendering an opinion on the validity and tax status of the Bonds on the date of the issuance of the
765 Bonds.

766

767 (b) The City shall set forth in the Section 148 Certificate its reasonable expectations as to
768 relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds or of any

769 monies, securities or other obligations to the credit of any account of the City that may be deemed to
770 be proceeds of the Bonds pursuant to Section 148 of the Code or the Treasury Regulations
771 (collectively, the “Bond Proceeds”). The City covenants with the registered owners of the Bonds that
772 the facts, estimates and circumstances set forth in the Section 148 Certificate will be based on the
773 City’s reasonable expectations on the date of issuance of the Bonds and will be, to the best of the
774 certifying officials’ knowledge, true and correct as of that date.

775
776 (c) The City covenants with the registered owners of the Bonds that it will not make, or
777 (to the extent that it exercises control or direction) permit to be made, any use of the Bond Proceeds
778 that would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code
779 and the Treasury Regulations, to the extent applicable, and that it will comply with those provisions
780 of Section 148 of the Code and the Treasury Regulations as may be applicable to the Bonds on the
781 date of issuance and which may subsequently lawfully be made applicable to the Bonds as long as
782 the Bonds remain outstanding and unpaid.

783
784 (d) The City specifically covenants that it will comply with the provisions of the Code
785 and the Treasury Regulations applicable to the Bonds, including, without limitation, compliance with
786 provisions regarding the timing of the expenditure of the proceeds of the Bonds, the use of such
787 proceeds and the projects or purposes financed or reimbursed with such proceeds, the restriction of
788 investment yields, the filing of information with the Internal Revenue Service, and the rebate of
789 certain earnings resulting from the investment of the proceeds of the Bonds or payments in lieu
790 thereof. The City further covenants that it shall make such use of the proceeds of the Bonds, regulate
791 the investment of the proceeds thereof and take such other and further actions as may be required to
792 maintain the exemption from federal income taxation of interest on the Bonds. All officials and
793 agents of the City are hereby authorized and directed to provide such certifications of facts and
794 estimates regarding the amount and use of the proceeds of the Bonds as may be necessary or
795 appropriate.

796
797 (e) The officials identified in this Section 16 may set forth in, or provide for in, the
798 Section 148 Certificate and/or the IRS Form 8038-G to be filed in connection with the issuance of
799 the Bonds, any issue elections, designations, determinations or allocations or representations or
800 certifications deemed necessary or desirable following consultation with bond counsel to the City.
801 Only one of the Mayor, the City Administrator or the Director of Finance needs to approve and
802 sign the IRS Form 8038-G on behalf of the City.

803
804 (f) In addition, to the extent the final sizing of the Bonds will allow the City to
805 designate the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3)
806 of the Code (relating to the exception from the disallowance of the deduction for that portion of a
807 financial institution’s interest expense that is allocable to tax-exempt interest), the Mayor is hereby
808 authorized, on behalf of the City, with the advice of the Director of Finance, to (1) provide for such
809 designation, (2) specify such designation in the Notice of Sale included as an appendix to the
810 Preliminary Official Statement and in other appropriation provisions of the Preliminary Official
811 Statement if such determination is made prior to release of the Preliminary Official Statement, (3)
812 communicate such designation in accordance with the provisions of the Notice of Sale included as
813 an appendix to the Preliminary Official Statement and to reflect such designation in appropriate
814 provisions of the Official Statement if such determination is made after release of the Preliminary

815 Official Statement, and (4) ensure that such designation is reflected in the Section 148 Certificate.
816 It is anticipated based on the preliminary sizing of the Bonds and information provided by the City
817 to bond counsel to the City that the Bonds will *not* be designated as “qualified tax-exempt
818 obligations” within the meaning of Section 265(b)(3) of the Code.

819

820 SECTION 17. AND BE IT FURTHER RESOLVED that:

821

822 (a) Notwithstanding any provision of this Resolution, in the event the position of
823 Mayor is vacant or in the absence, disability or unavailability of any incumbent Mayor at the time
824 (i) the Bonds are to be executed, whether at the time of their original issuance or upon transfer or
825 exchange, or (ii) the Mayor is authorized or directed to take any action (including, but not limited
826 to, executing orders, documents, agreements, certificates or instruments) or to make any
827 determination in accordance with the provisions of this Resolution, and if no other City official
828 has the authority to act as the Mayor under the Charter (including any Acting Mayor provided for
829 in the Charter), the City Code or other applicable law or authority, the actions or determinations
830 authorized to be taken by Mayor pursuant to this Ordinance shall be undertaken by the following
831 City officials in the following order of priority: first, by the City Administrator; second, in the
832 event the position of the City Administrator is vacant or in the absence, disability or unavailability
833 of any incumbent City Administrator, by the Deputy City Administrator; third, in the event the
834 position of the Deputy City Administrator is vacant or in the absence, disability or unavailability
835 of any incumbent Deputy City Administrator, by the Director of Finance; and fourth, in the event
836 the position of the Director of Finance is vacant or in the absence, disability or unavailability of
837 any incumbent Director of Finance, by any Assistant Director of Finance. References to City
838 officials by title in this subsection (a) shall be construed to refer to any person serving in an acting
839 or interim capacity as such an official.

840

841 (b) If any provision of this Resolution delegates to any official identified by title
842 authority to provide advice to the Mayor or another official, and the position of the official to
843 whom such advisory role is delegated is vacant or such official is absent, disabled or unavailable,
844 references to such official shall be disregarded unless another City official has authority to act in
845 place of such official in accordance with the provisions of Section 1(b) of this Resolution. In
846 addition, and subject to the provisions of subsection (a) above, if two or more officials are
847 authorized to act in concert in accordance with the provisions of this Resolution and the position
848 of one such identified official is vacant, or in the absence, disability or unavailability of such
849 identified official, references to such official shall be disregarded unless another City official has
850 authority to act in place of such official in accordance with the provisions of Section 1(b) of this
851 Resolution.

852

853 (c) In accordance with Section 14 of Ordinance No. 2864, if at the time the City seal
854 needs to be or may be impressed or affixed on the Bonds (whether at the time of their original issuance
855 or upon transfer or exchange) or any related documents, agreements, certificates or instruments the
856 position of the City Clerk is vacant, or in the absence, disability or unavailability of any incumbent
857 City Clerk, if no other City official has the authority to attest to the impression or affixing of the City
858 seal under the Charter, the City Code or other applicable law or authority, such attestation may be
859 made by any of the following in the following order of priority: any Assistant City Clerk, the City
860 Administrator, any Deputy City Administrator, the Director of Finance or any other official

861 designated by the Council by resolution, motion or other appropriate action; provided that, the same
862 official may not both execute the Bonds or any documents, agreements, certificates (other than a
863 standard closing certificate) or instruments in accordance with subsection (a) above on behalf of the
864 City and attest to the impression or affixing of the City seal on the same, but any such official may
865 both certify to the impression or affixing of the City seal on and make other certifications in any
866 closing certificate.

867
868 (d) Notwithstanding any references in this Resolution to manual or facsimile signatures
869 of City officials, to the extent that applicable law, orders, regulations or other authority allow for
870 signatures to be made by facsimile, digital, electronic or other means, the provisions of such
871 applicable law, orders, regulations or other authority allowing signatures to be made in a manner other
872 than manually or by facsimile shall be deemed to supersede the provisions of this Resolution. In
873 addition, signatures on this Resolution may be made by facsimile, digital, electronic or other means
874 and/or in counterparts.

875
876 SECTION 18. AND BE IT FURTHER RESOLVED that to the extent the provisions of
877 this Resolution or the Bonds do not comport with the debt policy of the City, the provisions of the
878 debt policy are deemed to be overridden.

879
880 SECTION 19. AND BE IT FURTHER RESOLVED that the provisions of this Resolution
881 shall be liberally construed in order to effectuate the transactions contemplated by this Resolution.

882
883 SECTION 20. AND BE IT FURTHER RESOLVED that this Resolution shall become
884 effective immediately upon its adoption by the Council and approval by the Mayor. Pursuant to
885 Charter Section SC7-46A, this Resolution may not be petitioned to referendum.

886
887 THIS RESOLUTION was introduced and duly adopted at a meeting of the Council of the
888 City of Salisbury held on the _____ day of
889 _____, 2024.

890
891 ATTEST:

892
893
894
895 _____
896 Kimberly R. Nichols, City Clerk D’Shawn M. Doughty, City Council President

897
898
899
900 APPROVED BY ME THIS _____ DAY OF _____, 2024:

901
902
903
904 _____
905 Randolph J. Taylor, Mayor

EXHIBIT A

SUBSTANTIALLY FINAL FORM OF BONDS

Note: Bracketed language is intended to reflect that such provisions apply only in certain circumstances, and such language shall be deleted from or included in the final form of the Bonds as appropriate. Any other applicable revisions to this form may be made in accordance with the provisions of this Resolution to reflect other provisions permitted by the provisions of this Resolution.

[Include if applicable: CITY OF SALISBURY HAS DESIGNATED THIS BOND A QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.]

No. R- UNITED STATES OF AMERICA
STATE OF MARYLAND \$ _____
CITY OF SALISBURY

PUBLIC IMPROVEMENT BOND OF 2024

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Dated Date</u>	<u>CUSIP</u>
September 1, 20__	%	_____, 2024	

Registered Owner:

Principal Sum: DOLLARS

City of Salisbury, a municipal corporation organized and existing under the Constitution and laws of the State of Maryland and a municipality within the meaning of the Enabling Act identified herein (the "City"), hereby acknowledges itself indebted for value received and promises to pay to the Registered Owner shown above, or registered assigns or legal representatives, on the Maturity Date specified above (unless this bond shall be redeemable by redemption at the option of the City, shall have been called for prior redemption, and payment of the redemption price shall have been made or provided for), the Principal Sum shown above, and to pay interest on such Principal Sum from and including the interest payment date next preceding the date of registration and authentication of this bond, unless this bond is registered and authenticated as of an interest payment date, in which case it shall bear interest from such interest payment date, or unless this bond is registered and authenticated prior to the first interest payment date, in which event this bond shall bear interest from the Dated Date specified above, or unless, as shown on the records of the Bond Registrar and Paying Agent (as hereinafter defined), interest on this bond shall be in default, in which event this bond shall

bear interest from the date on which interest was last paid on this bond, at the Interest Rate per annum shown above, payable on March 1, 2025 and on each September 1 and March 1 thereafter until the Principal Sum of this bond is paid in full. Interest shall be computed on the basis of a 360-day year comprised of 12 30-day months.

Both the principal of and interest on this bond shall be payable in lawful money of the United States of America. The principal or redemption price of this bond shall be payable by check or draft at the designated office of Manufacturers and Traders Trust Company, as bond registrar and paying agent (the “Bond Registrar and Paying Agent”) in Wilmington, Delaware or at such other office as may be designated by the Bond Registrar and Paying Agent. Interest on this bond shall be payable by check or draft of the Bond Registrar and Paying Agent mailed to the Registered Owner in whose name this bond is registered on the registration books maintained by the Bond Registrar and Paying Agent for the series of bonds of which this bond is a part as of the close of business on the 15th day of the calendar month immediately preceding the month in which each interest payment date occurs (the “Regular Record Date”). Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the Registered Owner on such Regular Record Date, and may be paid to the person in whose name this bond is registered as of the close of business on a special record date to be fixed by the Bond Registrar and Paying Agent for the payment of such defaulted interest (the “Special Record Date”), notice whereof being given by letter mailed first class, postage prepaid, to the Registered Owner not less than ten (10) days prior to such Special Record Date, at the address of such Registered Owner appearing on the registration books maintained by the Bond Registrar and Paying Agent for the series of bonds of which this bond is a part. If a principal payment date, interest payment date or redemption date falls on a Saturday, a Sunday or a day on which the City or the Bond Registrar and Paying Agent is not required to be open, payment may be made on the next succeeding day that is not a Saturday, a Sunday or a day on which the City or the Bond Registrar and Paying Agent is authorized or obligated by law to remain closed, and no interest shall accrue on the scheduled amount due for the intervening period.

IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER ALL OR A PORTION OF THE PRINCIPAL SUM OR REDEMPTION PRICE HAS BEEN PAID. EACH PAYMENT OF THE PRINCIPAL OR REDEMPTION PRICE OF THIS BOND SHALL BE NOTED HEREON, BUT THE FAILURE OF THE REGISTERED OWNER OF THIS BOND TO NOTE SUCH PAYMENT SHALL NOT AFFECT THE VALID PAYMENT AND DISCHARGE OF SUCH OBLIGATION EFFECTED BY SUCH PAYMENT.

This bond is the duly authorized bond of the City, aggregating \$_____ in original aggregate principal amount, dated _____, 2024 and designated “City of Salisbury Public Improvement Bonds of 2024” (the “Bonds”). The Bonds are issuable in authorized denominations of \$5,000 and integral multiples thereof. This bond is issued pursuant to and in full conformity with the provisions of 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, as replaced, supplemented or amended, and by virtue of due proceedings had and taken by the Council of the City (the “Council”), particularly Ordinance No. 2864, which was passed by the Council on May 13, 2024, approved by the Mayor of the City (the “Mayor”) on May 15, 2024 and became effective on May 15, 2024 (the “Ordinance”),

and Resolution No. ____, which was adopted by the Council on _____, 2024, approved by the Mayor on _____, 2024 and became effective on _____, 2024 (the “Resolution”).

The Bonds mature and are payable on September 1 in the following years and amounts and bear interest at the following rates per annum *[to be completed following the sale]*:

<u>Year (Sept. 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year (Sept. 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
-----------------------	-------------------------	----------------------	-----------------------	-------------------------	----------------------

The Bonds that mature on and after September 1, 2035 are subject to redemption prior to maturity at the option of the City, in whole or in part, on any date on and after September 1, 2034, in any order of maturity directed by the City, at a redemption price of the par amount of the Bonds to be redeemed, together with interest accrued on the par amount being redeemed to the date fixed for redemption, without premium or penalty.

If fewer than all of the Bonds of any one maturity shall be called for redemption at the option of the City, the particular Bonds or portions of Bonds to be redeemed from such maturity shall be selected by lot by the Bond Registrar and Paying Agent.

When less than all of a Bond in a denomination in excess of \$5,000 is redeemed at the option of the City, then, upon surrender thereof, there shall be issued without charge to the Registered Owner thereof, for the unredeemed balance of the principal amount of such Bond, at the option of such owner, Bonds of the same series in any of the authorized denominations specified by the Registered Owner. The aggregate face amount of Bonds so issued shall be equal to the unredeemed balance of the principal amount of the Bond surrendered, and the Bonds issued shall be of the same series, shall bear interest at the same rate and shall mature on the same date as the unredeemed balance of the Bond surrendered.

When any Bonds are to be redeemed at the option of the City, the City shall cause a redemption notice to be given to the registered owners of the Bonds to be redeemed in whole or in part by first class mail, postage prepaid, at least thirty (30) days prior to the date fixed for redemption to the addresses of such registered owners appearing on the registration books kept by the Bond Registrar and Paying Agent; provided, however, that the failure to mail a redemption notice or any defect in a notice so mailed, or in the mailing thereof, shall not affect the validity of the redemption proceedings. The redemption notice shall identify the Bonds and shall state (i) whether the Bonds are to be redeemed at the option of the City in whole or in part and, if in part, the maturities, numbers, principal amounts, interest rates and CUSIP numbers of the Bonds to be redeemed, (ii) that the interest on the Bonds (or portions thereof) shall cease to accrue on the date fixed for redemption, (iii) the date fixed for redemption, (iv) the address of the office of the Bond

Registrar and Paying Agent with a contact person and phone number, (v) any conditions to such redemption, and (vi) that the Bonds to be redeemed in whole or in part shall be presented for redemption and payment on the date fixed for redemption at the designated office of the Bond Registrar and Paying Agent. From and after the date fixed for redemption, if funds sufficient for the payment of the redemption price of and accrued interest are available on such date, the Bonds or portions thereof to be redeemed at the option of the City shall cease to bear interest. Upon presentation and surrender for redemption, the Bonds or portions thereof to be redeemed at the option of the City shall be paid by the Bond Registrar and Paying Agent at the redemption price plus accrued interest. If they are not paid upon presentation, the Bonds or portions thereof designated for redemption shall continue to bear interest at the rate stated therein until paid.

This bond is transferable only upon the registration books kept at the designated office of the Bond Registrar and Paying Agent, by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon surrender hereof, together with a written instrument of transfer in the form attached hereto and satisfactory to the Bond Registrar and Paying Agent and duly executed by the Registered Owner or his duly authorized attorney.

This bond may be transferred or exchanged at the designated office of the Bond Registrar and Paying Agent. Upon any such transfer or exchange, the City shall issue, and the Bond Registrar and Paying Agent shall authenticate and deliver, a new registered bond or bonds in authorized denominations equal to the aggregate principal amount of the bond so transferred or exchanged, of the same series, with the same maturity and bearing interest at the same rate. In each case, the Bond Registrar and Paying Agent may require payment by the Registered Owner of this bond requesting transfer or exchange hereof of any tax, fee or other governmental charge, shipping charges and insurance that may be required to be paid with respect to such transfer or exchange, but otherwise no charge shall be made to the Registered Owner hereof for such transfer or exchange.

The Bond Registrar and Paying Agent shall not be required to transfer or exchange this bond after the mailing or giving of notice calling this bond or any portion hereof for redemption at the option of the City.

The City and the Bond Registrar and Paying Agent may deem and treat the party in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption price hereof and interest due hereon and for all other purposes.

This bond is initially issued in book-entry only form and registered under a book-entry only system maintained by The Depository Trust Company (“DTC”). Notwithstanding anything to the contrary contained in this bond, for so long as this bond is registered in book-entry form under a book-entry only system maintained by DTC, any successor thereto, or any replacement securities depository, payments of the principal or redemption price of and interest on this bond, the selection of all or any portion of this bond to be redeemed at the option of the City, and any notice required herein shall be made or given as provided by the rules and regulations of such securities depository, and all references to the Registered Owner of this bond shall mean such securities depository or its partnership nominee. During such period, the City and the Bond

Registrar and Paying Agent will recognize such securities depository or its partnership nominee as the owner of this bond for all purposes.

The full faith and credit and unlimited taxing power of City of Salisbury are hereby pledged to the payment of the principal of and interest on this bond according to its terms, and the City does hereby covenant and agree to pay punctually the principal of and the interest on this bond, at the dates and in the manner mentioned herein, according to the true intent and meaning hereof.

It is hereby certified and recited that each and every act, condition and thing required to exist, to be done, to have happened or to be performed precedent to and in the issuance of this bond, does exist, has been done, has happened and has been performed in full and strict compliance with the Constitution and laws of the State of Maryland, the Ordinance and the Resolution, and that this bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and laws of the State of Maryland and that due provision has been made for the imposition of an annual ad valorem tax or taxes on all real and tangible personal property in the City that is subject to assessment for unlimited municipal taxation at a rate and in an amount sufficient to provide for the payment, when due, of the principal of and interest on this bond.

IN WITNESS WHEREOF, City of Salisbury has caused this bond to be executed in its name by the manual [or _____] signature of the [Mayor] and its corporate seal to be affixed hereto, attested by the manual [or _____] signature of the [City Clerk], all as of the Dated Date set forth above.

(SEAL)

ATTEST:

CITY OF SALISBURY

[City Clerk]

By: _____
[Mayor]

CERTIFICATE OF AUTHENTICATION

This bond is one of the registered bonds of City of Salisbury designated “City of Salisbury Public Improvement Bonds of 2024”.

_____,
as Bond Registrar and Paying Agent

By: _____
Authorized Officer

Date of Authentication: _____

(Form of Instrument of Transfer)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS,
INCLUDING ZIP CODE OF ASSIGNEE)

the within bond and all rights thereunder and does hereby constitute and appoint _____

attorney to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

Notice: Signatures must be guaranteed by a member or participant of a signature guaranty program.

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

EXHIBIT B

SUBSTANTIALLY FINAL FORM OF NOTICE OF SALE

NOTICE OF SALE

\$11,900,000*

City of Salisbury

Public Improvement Bonds of 2024

Electronic bids via BiDCOMP/Parity@/www.i-idealprospectus.com

will be received on June 11, 2024 (subject to rescheduling)

Overview

Electronic bids only via the applicable system of BiDCOMP/Parity@/www.i-idealprospectus.com (referred to herein, as applicable, as “Parity”) will be received by the Mayor of City of Salisbury (the “City”) on Tuesday, June 11, 2024, unless postponed as described in this Notice of Sale (in either such case, the “Bid Date”), until 11:00 a.m. prevailing eastern time (“Eastern Time”) for the purchase of all (but not less than all) of the City’s Public Improvement Bonds of 2024 (the “Bonds”).

By submitting a bid for the Bonds, a prospective bidder represents and warrants to the City that such bidder’s bid for the purchase of the Bonds (if a bid is submitted in connection with the sale) is submitted for and on behalf of such prospective bidder by an officer or agent who is duly authorized to bind the prospective bidder to a legal, valid and enforceable contract for the purchase of the Bonds.

Bond Details; Bond Registrar and Paying Agent

The Bonds will be dated the date of delivery and will bear interest payable semi-annually beginning on March 1, 2025 and thereafter on the first days of September and March until maturity or prior redemption at the option of the City. Manufacturers and Traders Trust Company will serve as the Bond Registrar and Paying Agent for the Bonds. The Bonds will be issued in book-entry only form, initially registered in the name of Cede & Co., as partnership nominee of The Depository Trust Company (“DTC”). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$5,000 and multiples thereof.

The Bonds are authorized by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland (the “Enabling Act”), Sections SC7-45 and SC7-46 of the Charter of the City (the “Charter”), Ordinance No. 2864, passed by the Council of the City (the “Council”) on May 13, 2024, approved by the Mayor of the City (the “Mayor”) on May 15, 2024 and effective on May 15, 2024 (the “Ordinance”), and Resolution No. _____, adopted by the Council on May 28, 2024, approved by the Mayor on _____, 2024 and effective on _____, 2024 (the “Resolution”).

The proceeds of the Bonds (including any available net original issue premium), together with any other available funds, if applicable, will be expended to finance or reimburse costs of certain public purpose projects and to pay costs of issuance of the Bonds.

The full faith and credit and unlimited taxing power of the City is pledged to the payment of the Bonds.

* Preliminary, subject to change.

Maturity Schedule

The Bonds will be subject to principal amortization through serial maturities on September 1 in the years and in the amounts set forth below (the "Preliminary Amounts"), subject to the provisions of "Adjustment to Principal Amounts" herein:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Maturity Date</u>	<u>Principal Amount</u>
September 1, 2025	\$470,000	September 1, 2033	\$ 830,000
September 1, 2026	590,000	September 1, 2034	875,000
September 1, 2027	620,000	September 1, 2035	910,000
September 1, 2028	650,000	September 1, 2036	945,000
September 1, 2029	685,000	September 1, 2037	980,000
September 1, 2030	720,000	September 1, 2038	1,020,000
September 1, 2031	755,000	September 1, 2039	1,060,000
September 1, 2032	790,000		

The principal amounts and the maturity dates set forth in the table above are preliminary and subject to change.

Adjustments to Principal Amounts

Pre-sale, the City reserves the right to change the Preliminary Amounts from time to time up until 10:00 a.m. Eastern Time on the Bid Date, by eliminating maturities and/or changing the aggregate principal amount of the Bonds and/or the principal amount of one or more of the maturities of the Bonds. Should a revision to the aggregate principal amount the Bonds and/or the principal amortization schedule for the Bonds be made (the "Revised Amounts"), such revision will be published on Parity or TM3 News Service (www.tm3.com) ("TM3") not later than 10:00 a.m. Eastern Time on the Bid Date. In the event that no revisions are made or that such revisions are not published on Parity or TM3 before 10:00 a.m. Eastern Time on the Bid Date, the Preliminary Amounts will constitute the Revised Amounts. Bidders shall submit bids based on the Revised Amounts, and the Revised Amounts will be used to compare bids for the Bonds and to select a winning bidder for the Bonds.

After selecting the winning bid for the Bonds, the aggregate principal amount of the Bonds and the principal amortization schedule for the Bonds may be adjusted as determined by the City's financial advisor in increments of \$5,000. **Any adjustments pursuant to this paragraph will not increase or reduce the aggregate principal amount of the Bonds by more than the premium amount of the winning bid.** The dollar amount bid for the Revised Amounts of the Bonds by the successful bidder therefor will be adjusted proportionately to reflect any reduction or increase in the original aggregate principal amount of the Bonds. Any such maturity schedule adjustments will be communicated to the successful bidder for the Bonds within six hours of the bids becoming accessible on Parity. Any such adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and original issue discount or premium, if any, but will not change the underwriter's discount per \$1,000 of par amount of the Bonds from the underwriter's discount that would have been received based on the purchase price in the winning bid for the Bonds, the coupon rates or the initial offering prices (as defined herein) specified by the successful bidder. **The successful bidder for the Bonds as so adjusted may not withdraw its bid or change the interest rates bid or initial offering prices as a result of any changes made to the principal amounts of the Bonds within these limits.** ALL BIDS SHALL REMAIN FIRM FOR 6 HOURS AFTER THE TIME SPECIFIED FOR BID DELIVERY.

The original aggregate principal amount of the Bonds as and if awarded will not exceed \$13,210,000.

Optional Redemption

The Bonds maturing on and after September 1, 2035 are subject to redemption prior to their stated maturities, at the option of the City, in whole or in part on any date on or after September 1, 2034, in any order of maturity specified by the City, at a redemption price equal to 100% of the principal amount of the Bonds (or portions thereof) to be redeemed, plus accrued interest on the principal amount being redeemed to the date fixed for redemption, without penalty or premium.

Electronic Bids Only

Bids must be submitted by electronic bidding via Parity, in the manner described below, and must be submitted on the Bid Date by 11:00 a.m. Eastern Time. No bid for the Bonds will be accepted after the deadline for receiving bids. To the extent any instructions or directions set forth in Parity conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about Parity, potential bidders may contact Parity at (212) 849-5021.

Disclaimer

Each prospective electronic bidder shall be solely responsible to submit its bid via Parity as described above. Each prospective electronic bidder shall be solely responsible to make necessary arrangements to access Parity for the purpose of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the City nor Parity shall have any duty or obligation to provide or assure access to Parity to any prospective bidder, and neither the City nor Parity shall be responsible for proper operation of or have any liability for any delays or interruptions of, or any damages caused by Parity. The City is using Parity as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. The City is not bound by any advice and determination of Parity to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the bid parameters specified in this Notice of Sale. All costs and expenses incurred by prospective bidders in connection with their submission of bids via Parity are the sole responsibility of the bidders, and the City is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying, or withdrawing a bid for the Bonds, such bidder should telephone Parity at (212) 849-5021 and notify the City's financial advisor, First Tryon Advisors, LLC by telephone at (410) 267-8811.

Electronic Bidding Procedures

Electronic bids must be submitted for the purchase of the Bonds via Parity. Bids will be accessible on the Bid Date at 11:00 a.m. Eastern Time. Prior to such time, a prospective bidder may (1) submit the proposed terms of its bid via Parity, (2) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute its bid for the Bonds, or (3) withdraw its proposed bid for the Bonds. Once the bids are accessible electronically via Parity, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided, subject to this Notice of Sale. The City shall not be responsible for any malfunction or mistake made by, or as a result of the use of the facilities of, Parity, the use of such facilities being the sole risk of the prospective bidder. **For purposes of the electronic bidding process, the time as maintained on Parity shall constitute Eastern Time.**

If any provision of this Notice of Sale shall conflict with the information provided by Parity as the approved provider of electronic bidding services, this Notice of Sale shall control.

Bid Specifications

Each bidder for the Bonds must submit a bid on an "all or none" basis. Each bid must specify the amount bid for the Bonds, which amount may not be less than 100% of par. Each bid for the Bonds must specify in multiples of one-eighth ($\frac{1}{8}$) or one-twentieth ($\frac{1}{20}$) of one percent (1%) the rate or rates of interest per annum which the Bonds are to bear but shall not specify (a) more than one interest rate for any Bonds having the same maturity, (b) a zero rate of interest, (c) any interest rate for any Bonds which exceeds the interest rate stated in such bid for any other Bonds by more than 300 basis points, or (d) any interest rate that exceeds 5.00%.

Basis of Award

Any award of the Bonds will be made on behalf of the City by the Mayor. The successful bidder for the Bonds will be determined based on the lowest interest cost to the City. The lowest interest cost for the Bonds shall be determined in accordance with the true interest cost ("TIC") method by doubling the semiannual interest rate (compounded semi-annually) necessary to discount the debt service payments from the payment dates to the date of the Bonds and to the price bid. If two or more bidders offer to purchase the Bonds at the same lowest TIC, then such award will be made to the bidder offering the highest purchase price. If two or more bidders offer to purchase the Bonds at the same lowest TIC, with the same purchase price, the City shall have the right to award all of the Bonds to one bidder. The Mayor will execute and deliver an order or orders of award after the apparent

successful bidder for the Bonds pays the Good Faith Deposit provided for herein by federal funds wire transfer (see “Good Faith Deposit and Award” below). Notwithstanding the foregoing, the City, by the Mayor, reserves the right to reject any and all bids for the Bonds and to waive any informality or irregularity in any bid, and the judgment of the Mayor with respect to such matters shall be final and binding upon all bidders with respect to the form and adequacy of any bid received for the Bonds and as to its conformity to the terms of this Notice of Sale or with respect to the determination to reject any and all bids for the Bonds.

Good Faith Deposit and Award

The apparent successful bidder for the Bonds shall submit a good faith deposit in the amount of \$119,000.00 (the “Good Faith Deposit”) as provided below. The Good Faith Deposit will secure the City from any loss resulting from the failure of the apparent successful bidder for the Bonds to comply with the terms of its bid. The apparent successful bidder for the Bonds shall transfer the Good Faith Deposit by wire transfer directly to the City upon notification of identification of the apparent successful bidder, but in any case, no later than 3:00 p.m. Eastern Time on the Bid Date (the “Deposit Deadline”). Wire instructions will be provided to the apparent successful bidder for the Bonds by the City’s financial advisor upon verification of bids submitted, identification of the apparent successful bidder for the Bonds and prior to the Deposit Deadline.

The apparent successful bidder for the Bonds will provide as quickly as it is available evidence of the wire transfer to the City’s financial advisor by providing to the City’s financial advisor the federal funds reference number. Notification of the award of the Bonds, if made, will be indicated on Parity and shall not be made until the receipt of the Good Faith Deposit has been confirmed. If the apparent successful bidder fails to so deliver the Good Faith Deposit by the Deposit Deadline, the City will have the option to not award the Bonds without any liability to the apparent successful bidder and the apparent successful bidder shall be responsible to the City for all consequential damages arising from such failure. Formal award of the Bonds, if made, will be made within 6 hours of the deadline for submitting bids for the Bonds.

At the time of the delivery of the Bonds, the Good Faith Deposit will be applied against the purchase price for the Bonds or will be retained as liquidated damages upon the failure of the successful bidder to take and pay for the Bonds in accordance with the terms of its bid. The successful bidder for the Bonds shall have no right in or to the Good Faith Deposit if it fails to complete the purchase of, and payment in full of, the Bonds for any reason whatsoever, unless such failure of performance shall be caused by an act or omission of the City. No interest will be paid upon the Good Faith Deposit to the successful bidder. Notwithstanding the foregoing, should the successful bidder fail to pay for the Bonds at the price and on the date determined in accordance with this Notice of Sale, the City retains the right to seek further compensation for damages sustained as a result of the successful bidder so doing.

If the original aggregate principal amount of the Bonds is adjusted as described above under “Adjustments to Principal Amounts,” no adjustment will be made to the Good Faith Deposit.

Establishment of Issue Price for the Bonds

The City expects and intends that the provisions of U.S. Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purpose of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds because (i) the City will disseminate this Notice of Sale to potential underwriters (as defined below) in a manner that is reasonably designed to reach potential underwriters, (ii) all bidders will have an equal opportunity to bid, (iii) the City may receive bids from at least three underwriters of municipal bonds that have established industry reputations for underwriting new issuances of municipal bonds, and (iv) the City anticipates awarding the sale of the Bonds to the bidder that submits a firm offer to purchase the Bonds at the lowest possible TIC, as set forth herein. If such competitive sale requirements are met, the successful bid for the Bonds will be treated as a “Qualified Competitive Bid.” If the competitive sale requirements are not met, the successful bid for the Bonds will be treated as a “Nonqualified Competitive Bid.” **It is noted that the procedures for a Nonqualified Competitive Bid may require the winning bidder and, if applicable, other underwriters of the Bonds, to hold the initial offering prices (as defined below) of the Bonds for some or all maturities of the Bonds for up to five (5) business days after the sale date (as defined below), as further specified below.**

By submitting a bid, each bidder (i) confirms that it was not given an opportunity to review other bids prior to submitting its bid, (ii) confirms that its bid is a firm offer for the purchase of the Bonds, on the terms set forth in its bid and this Notice of Sale

(as this Notice of Sale may be modified in accordance with its terms), except as permitted by this Notice of Sale, and (iii) represents that it has an established industry reputation for underwriting new issuances of municipal bonds.

The City will advise the apparent successful bidder as promptly as possible after bids are received whether its bid constitutes a Qualified Competitive Bid or a Nonqualified Competitive Bid.

If the apparent successful bid is a Qualified Competitive Bid, as promptly as possible after bids are received, the City will notify the apparent successful bidder and such bidder, upon such notice, shall advise the City of the reasonably expected initial offering price to the public (as defined below) of each maturity of the Bonds.

If the apparent successful bid is a Nonqualified Competitive Bid, the City shall treat (i) the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as of the date and time of the award of the Bonds as the issue price of that maturity, if applicable, and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis. The successful bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. Any maturity of the Bonds as to which the successful bidder has not so advised the City that the 10% test has been satisfied as of the date and time of the award of the Bonds shall be subject to the hold-the-offering price rule. Bids will not be subject to cancellation if the hold-the-offering price rule applies to any maturity of the Bonds. Bidders should note that a Nonqualified Competitive Bid may require the successful bidder and, if applicable, other underwriters of the Bonds to hold the initial offering prices for certain maturities of the Bonds for up to five business days after the sale date of the Bonds. **Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.**

By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer to sell the Bonds to the public on or before the sale date at the offering price or prices (the "initial offering prices"), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price for that maturity to the public during the period starting on the sale date and ending on the earlier of the following: (1) the close of fifth (5th) business day after the sale date or (2) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price for that maturity to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

For a Nonqualified Competitive Bid, the successful bidder shall promptly advise the City when the underwriters have sold to the public 10% of any maturity subject to the hold-the-offering-price rule at a price that is no higher than the initial offering price to the public for that maturity, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The City acknowledges that, in making the representations set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that any underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer that is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder and as set forth in the related pricing wires

and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until is notified by the successful bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder or such underwriter and as set forth in the related pricing wires.

Sale of any Bonds to any person that is a related party (as defined below) to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(i) “public” means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an underwriter or related party to an underwriter;

(ii) “related party” generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly;

(iii) “sale date” means the date that the Bonds are awarded by the City to the successful bidder; and

(iv) “underwriter” means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public, and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) of this definition to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public).

The successful bidder for the Bonds must deliver to the City at closing an “issue price” or similar certificate establishing the issue price of the Bonds in accordance with U.S. Treasury Regulation Section 1.148-1, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit 1 (for a Qualified Competitive Bid) or Exhibit 2 (for a Nonqualified Competitive Bid), as applicable, with such modifications as may be appropriate or necessary, in the reasonable judgment of such successful bidder, the City and bond counsel to the City.

All actions to be taken on behalf of the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City’s financial advisor, First Tryon Advisors, LLC, and any notice or report to be provided to the City may be provided to the City’s financial advisor First Tryon Advisors, LLC or bond counsel to the City. Terms used in this captioned section shall be construed in accordance with Section 1.148-1(f) of the U.S. Treasury Regulations.

Official Statement

Within seven business days after the award of the Bonds to the successful bidder therefor on the Bid Date, the City will authorize its Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement. The Preliminary Official Statement has been deemed final by the City for the purpose of Rule 15c2-12 of the Securities and Exchange Commission, subject to revision, amendment and completion in a final Official Statement. The City will also issue any supplement or amendment to the Official Statement that may be necessary between the date of the Official Statement and the date of delivery of the Bonds. If requested and furnished to the City in writing by a successful bidder at or before the close of business on the Bid Date, the City will include in the Official Statement such pricing and other information relating to the reoffering of the Bonds, if any, as may be so furnished. If the successful bidder for the Bonds furnishes no such information, the Official Statement will include the interest rates on the Bonds resulting from the bid of the successful bidder therefor and the other statements with respect to reoffering contained in the Preliminary Official Statement. Whether or not any such information is included in the Official Statement, a successful bidder shall be responsible to the City and its officials in all respects for the accuracy, fairness and completeness of such information, and for all decisions made with respect to the use or omission of such information in any reoffering of the Bonds, including the presentation or exclusion of any such information in any documents, including the Official Statement. Within seven business days after the award of the Bonds, the successful bidder for the Bonds will also be furnished, without cost, with an electronic copy and a reasonable number of copies (not to exceed 10 copies) of the Official Statement. The successful bidder will also be furnished with any amendment or supplement to the Official Statement, without cost, except to the extent any such amendment or supplement is required due to a change in the reoffering information or other information provided by or on behalf of the successful bidder.

Continuing Disclosure

In order to assist the successful bidder for the Bonds in complying with Securities and Exchange Commission Rule 15c2-12(b)(5), the City will undertake, pursuant to a continuing disclosure certificate, to provide certain information annually and notices of the occurrence of certain events. The substantially final form of Continuing Disclosure Certificate is included in the Preliminary Official Statement as Appendix D.

Delivery of the Bonds

Delivery of the Bonds will be made to the successful bidder through the facilities of DTC on or about June 25, 2024. Payment for the Bonds shall be made in immediately available funds.

The Bonds will be accompanied by the customary closing documents, including a no litigation certificate, effective as of the date of delivery, stating that there is no litigation pending affecting the validity of the Bonds. It shall be a condition to the obligation of the successful bidder for the Bonds to accept delivery of and pay for the Bonds that, simultaneously with or before delivery and payment for the Bonds, said successful bidder shall be furnished with a certificate of the Mayor and the Director of Finance to the effect that, to the best of their knowledge and belief, the Official Statement (and any amendment or supplement thereto) (except for the reoffering information, and except as to information regarding DTC and DTC's book-entry system provided by DTC, as to which no view will be expressed) as of the Bid Date and as of the date of delivery of the Bonds does not contain any untrue statement of a material fact and does not omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, and that between the Bid Date and the date of delivery of the Bonds there has been no material adverse change in the financial position or revenues of the City, except as reflected or contemplated in the Official Statement (and any amendment or supplement thereto).

The Bonds will be issued and sold subject to approval as to legality by Funk & Bolton, P.A., bond counsel to the City. Bond counsel will express no opinions as to any of the information contained in the Preliminary Official Statement or the Official Statement or in any other material relating to the Bonds.

Right to Modify Notice of Sale; Right to Postpone Sale

The City reserves the right to modify this Notice of Sale prior to the Bid Date including, but not limited to, adjusting and changing the original aggregate principal amount of the Bonds, adjusting the amortization schedule for the Bonds, changing the method for determination of the issue price of the Bonds, and/or changing the bid specifications for the Bonds; however, such modifications shall be made not later than 9:30 a.m. Eastern Time on the Bid Date and communicated through Parity or TM3.

The City reserves the right to postpone, from time to time, the Bid Date. Any such postponement will be communicated through Parity or TM3. If any Bid Date is postponed, any rescheduled Bid Date will be announced via Parity or TM3 at least 24 hours prior to such rescheduled Bid Date. In addition, the City reserves the right, on the date established for the receipt of bids, to reject all bids for the Bonds and to then or later establish a subsequent date on which bids for the Bonds will be received. If all bids for the Bonds are rejected and a subsequent date for receipt of bids for the Bonds established, notice of the subsequent Bid Date will be announced via Parity or TM3 at least 24 hours prior to such subsequent Bid Date. On any such rescheduled or subsequent Bid Date, any bidder may submit a bid for the purchase of the Bonds in conformity in all respects with this Notice of Sale except for the new Bid Date and except for any changes announced by Parity or TM3.

Any bid submitted shall be made in accordance with this Notice of Sale, including any revisions communicated via Parity or TM3 in accordance with the provisions of this Notice of Sale.

Additional Information

The Preliminary Official Statement, together with the official Notice of Sale, may be obtained by contacting First Tryon Advisors, LLC, 122 Severn Avenue, Annapolis, Maryland 21403, financial advisor to the City. The Preliminary Official Statement and the official Notice of Sale also will be made available via www.i-dealprospectus.com; for information contact Parity or First Tryon Advisors, LLC.

By order of

CITY OF SALISBURY

By: /s/ Randolph J. Taylor
Mayor

**PROPOSED FORM OF ISSUE PRICE CERTIFICATE FOR
QUALIFIED COMPETITIVE BID FOR THE TAX-EXEMPT BONDS**

\$ _____
**CITY OF SALISBURY
PUBLIC IMPROVEMENT BONDS OF 2024**

ISSUE PRICE CERTIFICATE (Qualified Competitive Bid)

_____, 2024

The undersigned, on behalf of [WINNING BIDDER] (the “Purchaser”), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the “Bonds”) to be issued by City of Salisbury (the “Issuer”). Certain capitalized terms used in this certificate are defined in paragraph 2 below.

1. ***Reasonably Expected Initial Offering Price.***

(a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by the Purchaser are the prices listed in Schedule A hereto (the “Expected Offering Prices”). The Expected Offering Prices are the prices for the Maturities of the Bonds used by the Purchaser in formulating its bid to purchase the Bonds. Attached hereto as Schedule B is a true and correct copy of the bid provided by the Purchaser to purchase the Bonds.

(b) The Purchaser was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the Purchaser constituted a firm offer to purchase the Bonds.

(d) The Purchaser has an established industry reputation for underwriting new issuances of municipal bonds.

2. ***Defined Terms.***

“Maturity” means Bonds with the same credit and payment terms. Bonds with different maturity dates are treated as separate Maturities.

“Public” means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

“Sale Date” means the first day on which there is a binding contract in writing for the sale of the Bonds. The Sale Date of the Bonds is [SALE DATE TO BE INSERTED].

“Underwriter” means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this definition to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax and Section 148 Certificate of the Issuer and with respect to compliance with the federal income tax rules affecting the Bonds, and by Funk & Bolton, P.A., bond counsel to the Issuer, in rendering its opinion that the interest on the Bonds is excludable from gross income for federal income tax purposes, the preparation of Internal Revenue Service Form 8038-G, and other federal income tax advice bond counsel may give to the Issuer from time to time relating to the Bonds.

_____, as Purchaser

By: _____

Name:

Title:

(Authorized Signatory)

SCHEDULE A

EXPECTED OFFERING PRICES

[To be Attached]

SCHEDULE B

COPY OF PURCHASER'S BID

[To be Attached]

**PROPOSED FORM OF ISSUE PRICE CERTIFICATE FOR
NONQUALIFIED COMPETITIVE BID FOR THE TAX-EXEMPT BONDS**

\$ _____

**CITY OF SALISBURY
PUBLIC IMPROVEMENT BONDS OF 2024**

ISSUE PRICE CERTIFICATE (Nonqualified Competitive Bid)

_____, 2024

The undersigned, on behalf of [NAME OF THE WINNING BIDDER] (the “[SHORT FORM NAME OF WINNING BIDDER]”), [on behalf of itself and [NAMES OF MEMBERS OF THE UNDERWRITING SYNDICATE] (together, the “Underwriting Syndicate”)] hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the “Bonds”) to be issued by City of Salisbury (the “Issuer”). Certain capitalized terms used in this certificate are defined in paragraph 3 below.

1. ***Sale of the General Rule Maturities.*** As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity was sold by [SHORT FORM NAME OF WINNING BIDDER][the Underwriting Syndicate] to the Public is the respective price listed in Schedule A.

2. ***Initial Offering Price of the Hold-the-Offering-Price Maturities.***

(a) The [SHORT FORM NAME OF WINNING BIDDER][Underwriting Syndicate] offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A (the “Initial Offering Prices”) on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.

(b) As set forth in the Notice of Sale and bid award, [the SHORT FORM NAME OF WINNING BIDDER][the members of the Underwriting Syndicate] [has][have] agreed in writing that (i) for each Maturity of the Hold-the-Offering-Price Maturities, [it][they] would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the “hold-the-offering-price rule”), and (ii) any selling group agreement shall contain the agreement of each dealer that is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer that is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the Initial Offering Price for that Maturity of the Bonds during the Holding Period.

3. ***Defined Terms.***

“General Rule Maturities” means those Maturities of the Bonds listed on Schedule A hereto as the “General Rule Maturities.”

“Hold-the-Offering-Price Maturities” means those Maturities of the Bonds listed in Schedule A hereto as the “Hold-the-Offering-Price Maturities.”

“Holding Period” means, with respect to each Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth (5) business day after the Sale Date, or (ii) the date of which the [SHORT FORM NAME OF WINNING BIDDER][Underwriting Syndicate] [has][have] sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering Price Maturity.

“Maturity” means Bonds with the same credit and payment terms. Bonds with different maturity dates are treated as separate Maturities.

“Public” means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

“Sale Date” means the first day on which there is a binding contract in writing for the sale of the Bonds. The Sale Date of the Bonds is [SALE DATE TO BE INSERTED].

“Underwriter” means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this definition to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax and Section 148 Certificate of the Issuer and with respect to compliance with the federal income tax rules affecting the Bonds, and by Funk & Bolton, P.A., bond counsel to the Issuer, in rendering its opinion that the interest on the Bonds is excludable from gross income for federal income tax purposes, the preparation of Internal Revenue Service Form 8038-G, and other federal income tax advice bond counsel may give to the Issuer from time to time relating to the Bonds.

[NAME OF WINNING BIDDER] [, as Representative of the Underwriting Syndicate]

By: _____
Name:
Title:
(Authorized Signatory)

SCHEDULE A

SALE PRICES OF THE GENERAL RULE MATURITIES

[To be Inserted or Attached]

INITIAL OFFERING PRICES OF THE HOLD-THE-OFFERING-PRICE MATURITIES

[To be Inserted or Attached]

SCHEDULE B

PRICING WIRE OR EQUIVALENT COMMUNICATION

[To be Attached]

1
2
3 **ORDINANCE NO. 2870**

4 **AN ORDINANCE APPROPRIATING THE NECESSARY FUNDS FOR**
5 **THE OPERATION OF THE GOVERNMENT AND**
6 **ADMINISTRATION OF THE CITY OF SALISBURY, MARYLAND**
7 **FOR THE PERIOD JULY 1, 2024 TO JUNE 30, 2025, ESTABLISHING**
8 **THE LEVY FOR THE GENERAL FUND FOR THE SAME FISCAL**
9 **PERIOD AND ESTABLISHING THE APPROPRIATION FOR THE**
10 **WATER AND SEWER, PARKING AUTHORITY, CITY MARINA,**
11 **AND STORM WATER FUNDS.**

12
13 BE IT ORDAINED, by the City of Salisbury, Maryland that the amounts listed in Schedule
14 A – Operating Budget Appropriations are hereby appropriated for the Fiscal Year beginning
15 July 1, 2024 and ending June 30, 2025 to fund operations of the City of Salisbury, Maryland.

16
17 BE IT FURTHER ORDAINED, by the City of Salisbury, Maryland that the amounts listed in
18 Schedule B – Capital Project Appropriations are hereby appropriated for Capital Projects.

19
20 BE IT FURTHER ORDAINED, by the City of Salisbury, Maryland that the amounts listed in
21 Schedule C – Anticipated Grant Expenditures are hereby appropriated for the grants listed,
22 and the Mayor is authorized to enter into any necessary agreements or memoranda in order to
23 receive and expend these funds.

24
25 BE IT FURTHER ORDAINED that:

- 26
27 1) The tax levy be, and the same be hereby set, at \$1.0332 per \$100 of assessed
28 valuation for all real property, at \$3.51 per \$100 of assessed valuation for all
29 personal property categorized as utilities, and at \$2.40 per \$100 of assessed valuation
30 for all other personal property subject to taxation by the City of Salisbury for General
31 Fund purposes, including debt service purposes (exclusive of revenues derived from
32 the Water and Sewer Fund for debt service purposes attributed to water and sewer
33 activities); and
34
35 2) All taxes levied by this ordinance shall be liens from and after July 1, 2024 and shall
36 be due and payable as specified in Title 14 of the Tax Property article of the
37 Annotated Code of Maryland, as amended.
38

39
40 AND BE IT FURTHER ORDAINED by the Salisbury City Council that a public hearing on
41 the proposed budget ordinance will be held at 4:30 PM on June 3, 2024 in Room 301 of the
42 City/County Government Office Building, 125 N. Division Street, Salisbury, Maryland.
43

44 AND BE IT FURTHER ORDAINED by the Salisbury City Council that this Ordinance shall
45 take effect upon final passage.
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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 13th day of May, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2024.

ATTEST:

Kimberly R. Nichols, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

70 **Schedule A - Operating Budget Appropriations**

71			
72	1)	General Fund – for the general municipal purposes of the City of Salisbury:	
		City Council / City Clerk	285,151
		Mayor's Office/ Development Services	1,399,851
		Finance	1,010,625
		Procurement / Municipal Buildings	847,134
		City Attorney	385,000
		Information Technology	930,360
		Police	17,528,732
		Fire	12,597,242
		Housing and Community Development	1,498,325
		Infrastructure and Development	2,372,425
		Field Operations	7,373,222
		Arts, Business, and Culture Department	2,661,835
		Debt Service & Other Uses	6,149,556
		Total	55,039,458
73	2)	Parking Authority Fund – for the special assessment district known as the Parking Authority	
		Total	594,394
74	3)	Water Sewer Fund - for operations of the water and sewer departments	
		Total	22,878,125
75			
76	4)	Marina Fund – for the operations of the enterprise known as the City Marina	
		Total	101,471
77	5)	Storm Water Fund – for the operations of the enterprise known as the Storm Water Fund	
		Total	995,987
78			
		Grand Total	79,609,435
79			

Schedule B – Capital Project Appropriations (1 of 2) General Capital Projects

Schedule B: General Capital Projects					
Project Description	Funding Source				FY26 Bond DOOI
	Approved Amount	PayGO Gen Fund	PayGO Storm Water	Grants	
Schumaker Pond	20,000	20,000			
City Park Pedestrian Bridge Repair Reallocation	50,000	50,000			
3-Ton Dump Truck 2 Door	360,000				
Portable Radio Replacement	187,771				
Apparatus Replacement - Engine	1,344,121				1,344,121
Governmental Fleet Vehicles	550,000				
Concrete Program (Curb, Gutter and Sidewalk)	75,000				
Surface Maintenance (Crack Sealing, Microsurfacing)	150,000				
Street Reconstuction (Milling and Paving)	700,000				
General Fund & Capital Projects	3,436,892	70,000	-	-	1,344,121

Schedule B – Capital Project Appropriations (2 of2)

Project	Approved Amount	Capital Projects - Funding Source					
		PayGO	Grants	Reallocation	Impact Funds	Revolving Funds	Bond
Water Sewer Fund:							
Water Sewer study Naylor Mill	-	-					
Communication Network Redundancy	15,000	15,000					
Sanitary Sewer Lining	75,000	75,000					
Vacall Sewer Truck	600,000						
Replace Distribution Piping & Valves	100,000	100,000					
Automated Metering Infrastructure	250,000	250,000					
Dump Truck	92,000	92,000					
Elevated Water Tank Maintenance	200,000	200,000					
Restore Park Well Field	175,000						175,000
Restore Paleo Well Field	230,000						230,000
Decommision Edgemore Water Tower	-	-					
Prk Reseroir Discharge Pipe Replace	40,000	40,000					
PFAS Study and Treatment Park Plant	60,000	60,000					
Pump Station Improvements	110,000	110,000					
Dump Truck	230,000						
Effluent Filter Pump	130,000						130,000
Ford F350 Utility Body Dually	90,000						
John Deere Zero Turn Mower	-	-					
Pale WTP 30" PCCP Discharge Line Rep	585,000			585,000			
Filter Replacement Project	12,000,000						12,000,000
Water Sewer Fund Total >>	14,982,000	942,000	0	585,000	0	0	12,535,000

Schedule C City Fiscal Year 2025 Appropriations for Grant-Funded Expenditures

Grant Name	Appropriation					Grant Dates		Funding		
	Funding by Grant			Funding by Grant Match		Start Date	End Date	Source	CFDA #	Dept/Agency
	Total	Prior Yrs	FY 2025	Amount	Account					
Comcast - Public, Educational & Governmental (PEG) Fees										
FY25 - PEG Fees from Comcast	60,000		60,000	-	N/A	7/1/2024	6/30/2025	Private	N/A	Comcast
Housing & Community Development										
FY25 - Homeless Solutions Program (HSP)	35,000		35,000	-	N/A	7/1/2024	6/30/2025	State	N/A	DHCD
FY25 - Projects for Assistance in Transition from Homelessness (PATH)	30,000		30,000	-	N/A	7/1/2024	6/30/2025	Federal	93.150	SAMHSA
FY23 - Community Development Block Grant (CDBG)	390,000		390,000	-	N/A	7/1/2024	N/A	Federal	14.218	HUD
Field Operations										
FY24 - POS - Resurfacing of Existing Tennis Courts (DNR - Wic. Co.)	99,000		99,000	11,000	599120	7/1/2024	6/30/2025	State	N/A	DNR
FY24 CP&P - Playground Equip. Elizabeth W Woodcock Park/Playground	170,000		170,000	10,000	599120	7/1/2024	6/30/2025	State	N/A	DNR
FY24 CP7P - Playground Equipment Replacement at Doverdale Park (DNR)	240,000		240,000	15,000	599120	7/1/2024	6/30/2025	State	N/A	DNR
Arts, Business & Culture Department										
Technical Assistance Grant	55,000		55,000	-	N/A	7/1/2024	6/30/2025	State	N/A	DHCD
Main Street Improvement Grant	50,000		50,000	-	N/A	7/1/2024	6/30/2025	State	N/A	DHCD
Project Restore	300,000		300,000	-	N/A	7/1/2024	6/30/2025	State	N/A	DHCD
A&E Operating Grant	18,000		18,000	-	N/A	7/1/2024	6/30/2025	State	N/A	MSAC
Infrastructure & Development Department										
FY25 - MD Dept. of Transportation - State Aid Funds	41,570		41,570	-	N/A	7/1/2024	6/30/2025	State	N/A	MDOT
FY25 - Highway Safety Improvement (HSIP)	250,500		250,500	-	599131	7/1/2024	6/30/2027	Federal	20.205	MDOT/ FHWA
FY25 - Highway Safety Improvement (HSIP) - High Friction Surface	172,728		172,728	-	599131	7/1/2024	6/30/2027	Federal	20.205	MDOT/ FHWA
FY24 - Bikeways Program	720,000		720,000	-	599131	7/1/2024	6/30/2027	State	N/A	MDOT
FY25 - Bikeways Program	200,000		200,000	-	599131	7/1/2024	6/30/2027	State	N/A	MDOT
Safe Streets for All (SS4A) Vision Zero Program	11,753,587	11,753,587	-	-	599131	7/1/2024	6/30/2028	Federal	20.205	US DOT
FY25 - Chesapeake Bay Trust Carroll St Stormwater	175,000		175,000	-	N/A	7/1/2024	6/30/2025	Other	N/A	CBT
Water Works Department										
FY25 - ENR O&M Grant - MDE Bay Restoration Fund (BRF)	650,000		650,000	-	N/A	7/1/2024	6/30/2025	State	N/A	MDE/ BRF
Salisbury Fire Department										
FY20- Staffing - Adequate Fire & Emergency Response (SAFER)	2,716,236	2,716,236	-	300,000	599124	7/1/2024	6/30/2025	Federal	97.083	DHS/FEMA

Schedule C City Fiscal Year 2025 Appropriations for Grant-Funded Expenditures (page 2 of 2)

Grant Name	Appropriation					Grant Dates		Funding		
	Funding by Grant			Funding by Grant Match		Start Date	End Date	Source	CFDA #	Dept/Agency
	Total	Prior Yrs	FY 2025	Amount	Account					
Salisbury Police Department										
FY25 - Bulletproof Vest Grant (GOCCP / DOJ-OJP)	5,000		5,000	5,000	91001-599121	7/1/2024	6/30/2025	Federal	16.607	OJP
FFY25 - Bulletproof Vest Grant (DOJ-OJP)	20,000		20,000	20,000	91001-599121	7/1/2024	6/30/2025	Federal	16.607	OJP
FY25 - MD Criminal Intelligence Network (MCIN)	500,000		500,000	25,000	91001-599121	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25 - Community Program Grant	50,000		50,000	\$ -	N/A	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25-Local Warrant Apprehension and Absconding Grant	50,000		50,000	24,000	91001-599121	7/1/2024	6/30/2025	State	N/A	GOCCP
FFY24 - Edward Byrne Memorial JAG	35,000		35,000	-	N/A	7/1/2024	9/30/2025	Federal	16.738	Justice
FFY25 - MD Highway Safety Office - Impaired Driver (DUI)	3,000		3,000	2,000	91001-599121	7/1/2024	9/30/2025	Federal	20.616	MHSO
FFY25 - MD Highway Safety Office - Speed Enforcement	2,000		2,000	1,000	91001-599121	7/1/2024	9/30/2025	Federal	20.600	MHSO
FFY25 - MD Highway Safety Office - Distracted Driver	2,000		2,000	1,000	91001-599121	7/1/2024	9/30/2025	Federal	20.600	MHSO
FY25 - Expanded Development of Predictive Policing w/ Machine Learning	100,000		100,000	-	N/A	7/1/2024	9/30/2025	Federal	16.738	GOCCP / BJAG
FY25- Police Accountability, Community and Transparency Grant (PACT)	50,000		50,000	-	N/A	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25 - Mental Health Co-Responder Project	90,000		90,000	-	N/A	7/1/2024	9/30/2025	Federal	16.738	Justice
FY25 - Police Recruitment & Retention Grant (PRAR / GOCCP)	50,000		50,000	-	N/A	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25 Law Enforcement Training Scholarship	5,000		5,000	-	N/A	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25 - State Aid Police Protection Fund	1,150,000		1,150,000	-	N/A	7/1/2024	6/30/2025	State	N/A	GOCCP
FY25- Drug Court - Home Visits	9,000		9,000	6,000	91001-599121	7/1/2024	6/30/2025	Local	N/A	Circuit Court
FFY25 - U.S. Marshals Program	7,000		7,000	4,000	91001-599121	7/1/2024	9/30/2025	Federal	16.111	US Marshals
Total >>	\$20,254,621	\$ 14,469,823	\$ 5,784,798	\$ 424,000						

The City's Housing First / Homeless Program will require a transfer from the General Fund in FY25 in the amount of \$0.00, which will be transferred from account number 91001-599200

This schedule serves to appropriate funds up to the amount listed and authorize the Mayor to expend grant funds for these programs up to the appropriation amount. Accounts will only be budgeted up to the amount included in the award letter. Awards that exceed the appropriation amount will require further council action. This also serves to authorize the Mayor to enter into any necessary agreements, contracts, or memoranda.

ORDINANCE NO. 2871

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO AMEND WATER AND SEWER RATES TO INCREASE RATES BY 9% AND MAKING SAID CHANGES EFFECTIVE FOR ALL BILLS DATED OCTOBER 1, 2024 AND THEREAFTER UNLESS AND UNTIL SUBSEQUENTLY REVISED OR CHANGED.

RECITALS

WHEREAS, the water and sewer rates must be revised in accordance with the proposed Fiscal Year 2025 Budget of the City of Salisbury and the appropriations thereby made and established for purposes of the Water and Sewer Departments.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF SALISBURY THAT, the water and sewer rate schedule set forth herein shall be adopted as follows:

Section 1.

A. Water and Sewer Rate Schedules:

Schedule I Metered Water Changes – In City Rates

Residential and Small Commercial	
Minimum Charge	\$28.27 30.82 / quarter
Commodity Charge	\$4.22 4.60 / thousand gallons
Commercial	
Customer Charge	\$529.00 576.61 / quarter
Commodity Charge	\$2.45 2.67 / thousand gallons
Large Commercial/Industrial	
Customer Charge	\$817.55 891.13 / quarter
Commodity Charge	\$1.96 2.13 / thousand gallons

Schedule II Metered Water Charges – Outside City Rates

Residential and Small Commercial	
Minimum Charge	\$56.54 61.63 / quarter
Commodity Charge	\$8.44 9.20 / thousand gallons
Commercial	
Customer Charge	\$1,058.01 1,153.23 / quarter
Commodity Charge	\$4.91 5.36 /thousand gallons
Large Commercial/Industrial	
Customer Charge	\$1,635.12 1,782.28 / quarter
Commodity Charge	\$3.96 4.31 /thousand gallons

Schedule III Metered Water Charges – Wor-Wic Community College and Urban Service District Rates

Residential and Small Commercial	
Minimum Charge	\$42.39 46.21 / quarter
Commodity Charge	\$6.34 6.91 / thousand gallons
Commercial	
Customer Charge	\$793.51 864.93 / quarter
Commodity Charge	\$3.68 4.01 / thousand gallons
Large Commercial/Industrial	
Customer Charge	\$1,226.33 1,336.70 / quarter
Commodity Charge	\$2.96 3.22 / thousand gallons

Schedule IV Sewer Charges – In City Rates

Residential and Small Commercial	
Minimum Charge	\$69.82 76.11 / quarter
Commodity Charge	\$10.47 11.41 / thousand gallons
Commercial	
Customer Charge	\$1,318.99 1,437.70 / quarter
Commodity Charge	\$6.09 6.64 / thousand gallons
Large Commercial/Industrial	
Customer Charge	\$2,034.60 2,217.72 / quarter
Commodity Charge	\$4.87 5.31 / thousand gallons

Schedule V Sewer Charges – Outside City Rates

Residential and Small Commercial	
Minimum Charge	\$139.66 152.23 / quarter
Commodity Charge	\$20.95 22.84 /thousand gallons
Commercial	
Customer Charge	\$2,637.97 2,875.39 / quarter
Commodity Charge	\$12.15 13.24 / thousand gallons
Large Commercial/Industrial	
Customer Charge	\$4,069.22 4,435.45 / quarter
Commodity Charge	\$9.77 10.65 / thousand gallons

Schedule VI Sewer Charges – Wor-Wic Community College and Urban Service District Rates

Residential and Small Commercial	
Minimum Charge	\$104.75 114.18 / quarter
Commodity Charge	\$15.72 17.13 / thousand gallons
Commercial	
Customer Charge	\$1,978.48 2,156.54 / quarter
Commodity Charge	\$9.10 9.92 / thousand gallons
Large Commercial/Industrial	
Customer Charge	\$3,051.90 3,326.57 / quarter
Commodity Charge	\$7.34 8.00 / thousand gallons

Schedule VII Sewer Charges – Sewer Only Customers

<u>Rate</u>	<u>Number of fixtures</u>	<u>Quarterly In City Rate</u>	<u>Quarterly Outside City Rate</u>	<u>Quarterly Urban Service District Rate</u>
1	One to two fixtures	\$89.31 97.34	\$178.61 194.69	\$133.97 146.03
2	Three to five fixtures	\$133.97 146.03	\$267.94 292.05	\$200.95 219.03
3	Six to twenty fixtures	\$192.54 209.87	\$385.07 419.73	\$288.80 314.79
	For every five fixtures over twenty	\$79.40 86.55	\$158.79 173.08	\$119.09 129.80

Schedule VIII Commercial and Industrial Activities

	<u>Annual In City Rate</u>	<u>Annual Outside City Rate</u>
1) For each fire service	\$373	\$746
2) For each standby operational service	\$373	\$746

B. Definitions:

Residential and Small Commercial Customers – These customers have average water utilization of less than 300,000 gallons in a quarter.

Commercial Customers – These customers have average water utilization of 300,000 gallons to 600,000 gallons per quarter.

Large Commercial/Industrial – These customers have average water utilization over 600,000 gallons per quarter.

Average Water Utilization Per Quarter – This will be based on annual consumption divided by 4 to get average quarterly water utilization.

C. Calculation of Bills:

For Residential and Small Commercial Customers – The minimum charge for both water and sewer will apply if water service is turned on at the water meter and usage is 0-6,000 gallons per quarter. Only the City can turn a meter on and off. For usage of 7,000 gallons and above, the commodity charge will be applied for each 1,000 gallons used and the minimum charge will not be applied.

For Commercial and Large Commercial/Industrial Customers – Every quarterly bill will receive a customer charge for both water and sewer. Then for each thousand gallons used the appropriate commodity charge will be applied.

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

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

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

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

Section 5. This Ordinance shall become effective for all bills dated October 1, 2024 and thereafter.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 13th day of May, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the ____ day of _____, 2024.

ATTEST:

Kimberly R. Nichols, City Clerk

**D’Shawn M. Doughty,
City Council President**

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

1 **ORDINANCE NO. 2872**

2
3 **AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO SET FEES**
4 **FOR FY 2025 AND THEREAFTER UNLESS AND UNTIL SUBSEQUENTLY REVISED**
5 **OR CHANGED.**

6 **RECITALS**

7
8 **WHEREAS**, the fees charged by the City are reviewed and then revised in accordance
9 with the adoption of the Fiscal Year 2025 Budget of the City of Salisbury; and

10
11 **WHEREAS**, the fee amounts set forth in the “FY 2025 Fee Schedule” attached hereto
12 and incorporated herein as Exhibit 1, identify and list all fee amounts to be charged and
13 otherwise assessed by the City of Salisbury for the period of the Fiscal Year 2025, in accordance
14 with the adoption of the Fiscal Year 2025 Budget of the City of Salisbury; and

15
16 **NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL**
17 **OF THE CITY OF SALISBURY** as follows:

18
19 **Section 1.** The fee amounts set forth in the FY 2025 Fee Schedule (the “**FY25 Fee**
20 **Schedule**”) attached hereto as **Exhibit 1** and incorporated herein, as if fully set forth in this
21 Section 1, are hereby adopted by the Council of the City of Salisbury; and, furthermore, the fee
22 amounts set forth in the FY25 Fee Schedule shall supersede the corresponding fee amounts set
23 forth in the City of Salisbury Municipal Code until one or more of such fee amounts are
24 subsequently amended.

25
26 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE**
27 **CITY OF SALISBURY**, as follows:

28
29 **Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each
30 provision of this Ordinance shall be deemed independent of all other provisions herein.

31
32 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury
33 that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged
34 invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law,
35 such adjudication shall apply only to the section, paragraph, subsection, clause or provision so
36 adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and
37 enforceable.

38
39 **Section 4.** The recitals set forth hereinabove are incorporated into this section of the
40 Ordinance as if such recitals were specifically set forth at length in this Section 4.

41
42 **Section 5.** This Ordinance shall become effective as of July 1, 2024.

43
44 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council
45 of the City of Salisbury held on the 13th day of May, 2024 and thereafter, a statement of the

46 substance of the Ordinance having been published as required by law, in the meantime, was
47 finally passed by the Council of the City of Salisbury on the ___ day of June, 2024.

48
49

50 **ATTEST:**

51
52

53 _____
54 Kimberly R. Nichols, City Clerk

D'Shawn M. Doughty,
City Council President

55
56

57
58

59 APPROVED BY ME THIS _____ day of _____, 2024.

60
61

62 _____
Randolph J. Taylor, Mayor

FY 2025 Fee Schedule

Licenses			
Alarm Company	80	Per year, Per Code 8.040.30	Police Dept
Amusement		Per Code 5.24.020	Finance
1-5 Machines	500	Per year	
6-10 machines	665	Per year	
11-15 machines	830	Per Year	
Greater than 15 machines	1,500	Per Year	
Billboard License	0.55	Per Year, per square foot	Finance
Transient Merchants and Mobile Vendors		Per Code 5.32.070	ABCD
New application	100		
Renewal	50	Per year	
Hotel License	50	Per Code 5.68.060	ABCD
Fortune Telling License	100		ABCD
Door to Door Solicitors	100	Plus \$40 background check performed, Per year, Per Code 5.34.070	City Clerk
Pool Table		Per Code 5.48.020	Finance
1	10	Each	
Additional tables over 1	5	Each	
Restaurant	80	Per year, Per Code 5.52.060	Finance
Theatre	75	Per year, Per Code 5.60.040	Police Dept
Towing Company			Police Dept
Application Fee	80		
License	80	Per Code 5.64.030	

Misc. Fees (by Business Development)			
Food Truck Pad Rental	50	Per month	
Trolley Rental Fee			
Hourly rate	150	Per hour, private event or for-profit business	
Hourly rate	125	Per hour, non-profit or government entity	

Misc. Fees (by Finance)			
Return Check Fee	40		

MPIA Request Fees (by All Departments)			
First two hours processing request	Waived		
Work exceeding two hours, Departments will charge attorney hourly fee (if applicable) and hourly fee for department staff	\$165 *	Attorney Hourly Fee Varies by Department	

FY 2025 Fee Schedule

Misc. Fees (by City Clerk)

Sale of Code Book		Each, Set by Resolution, Per Code 1.04.080
Financial Disclosure Statement Late Fee	20	Per day for 5 days, then \$10 per day up to max of \$250; Per Code 1.12.060
Circus or Horsemanship Event Fee	75	Per day, Per Code 5.44.010
Other Exhibitions	5	Per day, Per Code 5.44.010
Commercial Sound Truck Operation Fee	1	Per Code 8.20.080
Filing Fee (Mayoral Candidates)	25	SC-8
Filing Fee (City Council Candidates)	15	SC-8
Bankrupt, Fire and Close-out sales	5	Per month, Renewal – \$50/month, Per code 5.16.010

Landlord Licenses and Other Misc. fees (by the HCDD Department)

Landlord License Fee 1st Year		Per Code 15.26.050
if paid within 60 days	120	
if paid by between 61-150 days	185	
if paid after 150 days	315	
Landlord License Unit Registration 1st Year		Per Code 15.26.040
if paid within 60 days	120	
if paid by between 61-150 days	185	
if paid after 150 days	315	
Landlord License Fee Renewal		Per Code 15.26.060
if paid by March 1st	75	
if paid 3/2 - 7/1	140	
if paid > 7/1	270	
Landlord License Unit Registration Renewal		Per Code 15.026.060
if paid by March 1st	75	per unit
if paid 3/2 - 7/1	140	For first unit plus \$88 \$140 for each additional unit
if paid > 7/1	270	For first unit plus \$96 \$270 for each additional unit
Short-Term Landlord License Fee 1st Year		Per Code (TBD)
if paid within 60 days	120	
if paid by between 61-150 days	185	
if paid after 150 days	315	
Short-Term Rental Unit Registration		Per Code (TBD)
if paid within 60 days	250	Per unit
if paid by between 61-150 days	490	Per Unit
if paid after 150 days	970	Per Unit
Short-Term Landlord License Fee Renewal		Per Code (TBD)
if paid by March 1st	75	
if paid 3/2 - 7/1	140	
if paid > 7/1	270	
Short-Term Rental Unit Renewal		Per Code (TBD)
if paid by March 1st	250	Per unit
if paid 3/2 - 7/1	490	Per Unit
if paid > 7/1	970	Per Unit

FY 2025 Fee Schedule

Administrative Fee for Fines	100	
	1,000	
Foreclosed Property Registration	100	One-time fee, Per Code 15.21.040
Re-inspection Fee	100	On each citation, Per Code 15.27.030
Appeal Procedure Fees (Enforced by HCDD)		
Title - 8 Health and Safety Code Appeal	200	Per appeal, plus advertising costs if required
Title - 12 Streets, Sidewalks and Public Places Code Appeal	200	Per appeal, plus advertising costs if required
Title - 15.22 Vacant Buildings Code Appeal	250	Per appeal, plus advertising costs if required
Title - 15.26 Rental Registration	250	Per appeal, plus advertising costs if required
Title - 15.27 Chronic Nuisance Property	250	Per appeal, plus advertising costs if required
Title - 15.24.280 Condemnation	250	Per appeal, plus advertising costs if required
Title - 15.24.325 Plan for Rehabilitation	250	Per appeal, plus advertising costs if required
Title - 15.24.350 Failure to Comply with Demolition Order	250	Per appeal, plus advertising costs if required
Title - 15.24.950 Occupancy	250	Per appeal, plus advertising costs if required
Title - 15.24.1640 Order to Reduce Occupancy	250	Per appeal, plus advertising costs if required
Title – 17 All requests for variances, special exceptions and other zoning appeals	150	Per appeal/application, plus advertising costs if required
All other appeals/applications to the Board of Appeals	150	Per appeal/application, plus advertising costs if required

FY 2025 Fee Schedule

Residential Vacant Building Registration	\$200 \$100	Per year, Per Code 15.22.040																
Residential Vacant Building Annual Inspection Fee	\$100	Per year, after first fiscal year – Per Code 15.22.040																
Residential Vacant Building Annual Fee	Variable, see chart below \$100																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Number of Years Vacant</th> <th style="text-align: right;">Annual Fee</th> </tr> </thead> <tbody> <tr> <td>1 year</td> <td style="text-align: right;">200</td> </tr> <tr> <td>2 years:</td> <td style="text-align: right;">500</td> </tr> <tr> <td>3-4 years:</td> <td style="text-align: right;">750</td> </tr> <tr> <td>5-9 years:</td> <td style="text-align: right;">1,000</td> </tr> <tr> <td>10 years:</td> <td style="text-align: right;">1,500</td> </tr> <tr> <td>More than 10 years vacant:</td> <td style="text-align: right;">2,000, plus \$500 for</td> </tr> <tr> <td></td> <td style="text-align: right;">every year the property remains vacant</td> </tr> </tbody> </table>			Number of Years Vacant	Annual Fee	1 year	200	2 years:	500	3-4 years:	750	5-9 years:	1,000	10 years:	1,500	More than 10 years vacant:	2,000, plus \$500 for		every year the property remains vacant
Number of Years Vacant	Annual Fee																	
1 year	200																	
2 years:	500																	
3-4 years:	750																	
5-9 years:	1,000																	
10 years:	1,500																	
More than 10 years vacant:	2,000, plus \$500 for																	
	every year the property remains vacant																	
Nonresidential Vacant Building and Non-residential Vacant Lot Registration	\$500 \$250																	
Nonresidential Vacant Building Annual Inspection Fee	\$150	Per year, after first fiscal year – Per Code 15.22.040																
Nonresidential Vacant Building Annual Fee	Variable, See Chart Below \$250	Per year, Per Code 15.22.040																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Assessed Value between</th> <th style="text-align: right;">Annual Fee</th> </tr> </thead> <tbody> <tr> <td>\$0 – \$500,000</td> <td style="text-align: right;">\$500</td> </tr> <tr> <td>\$500,001 – \$5,000,000</td> <td style="text-align: right;">\$2,000</td> </tr> <tr> <td>\$5,000,001 and over</td> <td style="text-align: right;">\$5,000</td> </tr> </tbody> </table>			Assessed Value between	Annual Fee	\$0 – \$500,000	\$500	\$500,001 – \$5,000,000	\$2,000	\$5,000,001 and over	\$5,000								
Assessed Value between	Annual Fee																	
\$0 – \$500,000	\$500																	
\$500,001 – \$5,000,000	\$2,000																	
\$5,000,001 and over	\$5,000																	
Nonresidential Vacant Lot Annual Fee	\$0.10 per sqft, or \$500, whichever is greater																	

Community Center Rental Fee		
Truitt Community Center – Gymnasium	35	Per hour
Truitt Community Center – Multi-purpose Field	10	Per hour

FY 2025 Fee Schedule

Newton Community Center – Whole Building	40	Per hour
Newton Community Center – Community Room	20	Per hour
Newton Community Center – Kitchen	20	Per hour
Newton Community Center – Resource Office	15	Per hour
Community Center – Supplies, per Item	Vary	Each
Community Center – Equipment, per Item	Vary	Each
Newton Community Center Room 1	10	Per Hour
Newton Community Center Room 2	10	Per Hour

Misc. Fees (by Field Operations)

Outdoor Rental Space – Small Family Functions, up to 20 people		
Park Pavilion	25	Per day w/o RR
Outdoor Rental Space – Large Private Function or Public Events		
Park Pavilion (without restrooms)	75	Per Day W/O RR
Park Pavilion (with restrooms)	75-100	Per Day W RR
Rotary/Bandstand, Doverdale, Lake Street	100	Per Day W RR
Amphitheater or Riverwalk Games Park	175	Per day
Amphitheater Hourly Rental or Riverwalk Games Park	25	Per hour weekend (max 2-hour block), as is
Amphitheater Hourly Rental or Riverwalk Games Park	10	Per hour weekday (max 2-hour block), as is
Park Pavilion (no restrooms): Jeanette P. Chipman Boundless, Kiwanis, Marina Riverwalk, Market Street, Newton-Camden Tot Lot, Waterside	50	Per day
Streets /Parking Lots	100	Per day
Additional Street/Parking Lot	50	Per day
5K Race	150	Per day
City park, designated park area or amenity not listed	50	Per day
Ball field/ Basketball Court / Tennis Court	10 and 40 w/lights	Per hour
Personnel		
Site Supervisor Suggest \$25.00/ Site Coordinator	25 30	Per hour
Maintenance Labor	25	Per hour
Security/Police/EMS/FIRE (per person)	60	Per hour. 3 hours minimum or \$180
Supplies & Equipment		
Maintenance Supplies (as required)	Vary	
Sports Equipment	Vary	
Additional Trash Cans - Events with over 200 people require additional trashcans, recycle or compost bin and a recycling plan.	5 10	Per Container
Barrier Fence (Snow Fence)	1	Per Linear Foot
Traffic Control Devices		
Hard Stop Dump truck/other	50 100	Per day
Digital Msg. Board	50 100	Per day
Street Barricades	10	Each per day
Cones	1	Each per day
Traffic Control Sign	10	Each per day
Jersey Barrier	600	Minimum 4, delivery, set-up and remove

FY 2025 Fee Schedule

Ceremonial Street Renaming		
Ceremonial Street Renaming – Materials & Labor Fee	250	

Waste Disposal Fees (by Field Operations)		
Trash Service	69.71	Per quarter, Per Code 8.16.090
Bulk Trash Pick up	30	For three items, additional amounts for specific items, Per Code 8.16.060
Trash Cans	80	Per can (plus \$4.80 tax), Per Code 8.16.060

Water/Sewer Misc. Fees (by Water Works)		
Water & Sewer Admin Fee (Late Charge)	50	Per occurrence, Per Code 13.08.040
Water Turn On Fee	80	For after hours, Per Code 13.08.040
Water Meter Reading Fee	25	Per request, Per Code 13.08.030
Water Turn On Fee	20	Per request, Per Code 13.08.040
Fire Service	746	Annually per property, Per Code 13.08.050
Meter Test		
In City Limits	40	Per request, Per Code 13.08.030
Out of City Limits	50	Per request, Per Code 13.08.030
Water and Sewer Services		See Water Sewer Rate Ordinance, Quarterly, Per Code 13.08.130-13.12.090

WWTP Pretreatment Program Fees (by Water Works)		
Significant Industrial Users: (Per Code 13.12.110)		
IA discharges flow \geq 5% of WWTP flow	8,700	30 units
IB discharges flow \geq 50,000 gpd	7,250	25 units
IC categorical user which discharges	5,800	20 units
ID discharges flow \geq 25,000 gpd	4,350	15 units
IE categorical user which does not discharge	2,900	10 units
Minor Industrial Users: (Per Code 13.12.110)		
IIA-1 discharges flow ³ 5,000 gpd or hospitals, campus	2,030	7 units
IIA-2 discharges flow ³ 5,000 gpd or light industry, hotels	1,450	5 units
IIB discharges flow ³ 1,000 gpd or fast food, large restaurants, large garages	580	2 units
IIC discharges flow 500 - 1,000 gpd or small restaurants, small garages	435	1.5 units
IID discharges flow ³ 500 gpd or restaurants that are carry out only no fryer	290	1 unit
IIE photographic processor which discharges silver rich wastewater	290	1 unit
<i>Pretreatment fees are an annual fee, invoices are sent each January to cover the calendar year.</i>		

Towing Fees		
Maximum Towing and Storage Fees (vehicles up to 10,000 GVW)		
Police Directed Accident Tow	425	
Disabled Vehicle Tow	100 135	
Emergency Relocation Tow (up to 2 Miles)	80 100	Per Code 5.64.100
Impound Vehicle Tow	135	
Standby/Waiting Time - Billed in 15 minute increments only after 16 minute wait	75	Per hour

FY 2025 Fee Schedule

Winching (<u>Applies to vehicles that requires righting, or lifting, or returning to roadway from more than 20 feet off of roadway</u> Does not include pulling vehicle onto rollback type truck) - Billed in 15 minute increments	110	Per hour
Storage – Beginning at 12:01 am following the tow (<u>includes vehicles stored at a facility under the control of and billed by The City of Salisbury</u>)	50	Per calendar day or portion thereof, Per Code 5.64.120
Administrative Fee – Impounds Only	50	
Snow Emergency Plan in Effect (in addition to other applicable towing fees)	50	
Release Fee (After hours only, at tower’s discretion) – Normal business hours defined as M-F, 9am-6pm	55	

Building Fees (by the Department of Infrastructure and Development)

Building Fees (by the Department of Infrastructure and Development)		
Building Plan Review Fees (Per Code 15.04.030)		Residential, Commercial, Accessory
<i>Fees based on cost of construction:</i>		
Up to \$ 3,000	50	
\$3,001 to \$100,000	90	
\$100,001 to \$500,000	250	
\$500,001 to \$1,000,000	300	
\$1,000,001 and Up	375	
Building Permit Fees (Per Code 15.04.030)		Residential, Commercial, Accessory, Fence
<i>Fees based on cost of construction:</i>		
Up to \$ 3000	50	
\$3001 and Up	60	Plus (.0175 * Cost of Construction)
\$100,001 to \$500,000	1,300	Plus (\$10 for each \$1,000 over \$100,000)
\$500,001 to \$1,000,000	4,900	Plus (\$9 for each \$1,000 over \$500,000)
\$1,000,001 and Up	8,500	Plus (\$7 for each \$1,000 over \$1,000,000)
Outdoor Advertising Structure Fee (Per Code 17.216.240)	.50	Per SF foot of sign surface per year
Other Building Fees:		
Historic District Commission Application	150	
Board of Zoning Appeals	150	Plus advertising costs
Demo - Residential	125	Per Code 15.04.030
Demo - Commercial	175	Per Code 15.04.030
Gas	30	Plus \$10 per fixture, Per Code 15.04.030b
Grading	200	Per Code 15.20.050
Maryland Home Builders Fund	50	Per new SFD
Mechanical	50	Per Code 15.04.030
Occupancy Inspection	75	Per Code 15.04.030
Plumbing	30	\$10 per fixture (may vary), Per Code 15.04.030b
Sidewalk Sign		Set by resolution, Per Code 12.40.020
Sidewalk Café Fee	50	Set by ordinance 2106, Per Code 12.36.020
Sign	50	Plus (\$1.50 per Sq Ft), Per Code 17.216.238
Temp Sign	25	Per month, Per Code 17.216.238
Temp Trailer	25	Per month, Per Code 15.36.030b
Tent	40	Per Code 15.04.030
Well	50	Per Code 13.20.020
Zoning Authorization Letter	50	Per Code 17.12.040
Re-inspection Fee	50	More than 2 insp of any required insp, Per Code 15.04.030

FY 2025 Fee Schedule

Adult Entertainment Permit Application Fee	100	Per Code 17.166.020
Outdoor Advertising Structure Fee	.50	Per sq ft of sign surface area, Per Code 17.216.240
Notice of Appeal Fee; Sidewalk Sign Standards Violation	100	Per Code 12.40.040
Reconnection Fee; Public Water Connection; Refusal of Inspection	25	Per Code 13.08.100
Administrative Fee – renew temporary certificate of occupancy	100	
Annexation Fees:		
For the first partial or one (1) acre	\$5,000	Plus Legal, planning, consulting and other related administrative fees
Additional partial or full acre(s)	\$500	Per acre (no proration)
Planning Commission		
Comprehensive Development Plan Review – Non-Residential	\$250 \$500	Plus \$10 per 1,000 sq. ft. Subsequent submittals, which generate additional comments, may be charged an additional \$250.
Comprehensive Development Plan Review – Residential	\$250 \$500	Plus \$10 per unit. Subsequent submittals, which generate additional comments, may be charged an additional \$250.
Certificate of Design/Site Plan Review	\$250	Plus \$10 unit/acre. Subsequent submittals, which generate additional comments, may be charged an additional \$250.
Paleochannel/Wellhead Protection Site Plan Review	\$100	
Rezoning	\$500	Plus \$15 per acre and advertising cost
Text Amendment	\$500	Plus advertising cost
Critical Area Program		
		Ordinance No. 2578
Certificate of Compliance (Per Code 12.20.110)		
Building Permits	75	Activities per code 12.20.110.F. are exempt
Subdivision	200	In addition to standard fee
Site Plans/Certificate of Design/Comprehensive Development Plan	100	In addition to standard fee
Resubdivision	100	In addition to standard fee
Fee-In-Lieu (Per Code 12.20.540)		
	1.50	\$1.50 per square foot of mitigation area
License to Encumber Program		
Application – Installation of Service Line	75	\$25 per additional service line in project area, defined as ¼ mile radius from primary address
Application – Large Boring Project	125	Includes up to 500 linear feet. \$50 for additional 250 linear feet above the initial
Application – Large Open/Cut	250	Includes up to 500 linear feet. \$100 for additional 250 linear feet above the initial
Application – Micro-Trenching Project	125	Includes up to 500 linear feet. \$50 for additional 250 linear feet above the initial
Application – Installation of New Utility Pole (excluding Small Cell facilities)	500	
Application – Underground utility project replacing overhead utilities and removing utility poles	Waived	

FY 2025 Fee Schedule

License to Encumber Program - Small Wireless Facilities		Ordinance No. 2580
Application	500	For up to five (5) small wireless facilities
Application – additional facilities	100	For each additional small wireless facility addressed in the application beyond five
Access to the Right of Way fee	1,000	Per each new small wireless facility pole
Annual fee for access to the Right of Way	270	Per year per small wireless facility after year 1
Storm Water Utility (2306)		
Fee to maintain City storm water facilities	30	Per year per Equivalent Residential Unit
Stormwater Utility Credit Application (2306)		
Fee to apply for credit to Stormwater Utility	150	Per application
Street Break Permit (Per Code 12.12.020)		
Permit for breaking City public streets and way	50	Per break location
Install new or replace existing sidewalk, residential	50	
Install new or replace existing sidewalk, commercial	100	
Install new driveway, residential	150	
Install new driveway, commercial	300	
Excavate street or sidewalk to conduct maintenance of underground facilities	150	\$50 per additional “break” in project area
Excavate street or sidewalk to replace existing utility pole	250	\$100 per additional pole replaced in project area
Excavate street or sidewalk to replace or remove utility pole permanently	Waived	
Obstruction Permit (Per Code 12.12.020)		
Permit for obstructing City public streets and ways	50	Per location
Dumpster – residential, obstruction permit	50	Renewal fee of \$25 after 30 days
Dumpster – commercial, obstruction permit	100	Renewal fee of \$50 after 30 days
Sidewalk closure	50	\$5 per day over 30 days
Lane closure (including bike lane)	100	\$10 per day over 30 days
Street closure	250	\$25 per day over 30 days
Street closure for Block Party or Community Event	Waived	Fee under Outdoor Rental Space Public Events - Streets
Water and Sewer Connection Fee (Per Code 13.02.070)		
Comprehensive Connection Charge of Connection fee for the Developer’s share in the equity of the existing utility system-	3,710	Per Equivalent Dwelling Unit (water \$1,925, sewer \$1,785)
Water and Sewer Infrastructure Reimbursement Fee (Per Code 13.02.070)		
Comprehensive Connection Charge for Infrastructure Reimbursement Fees is based on actual costs of water and sewer infrastructure installed by a Developer.	*	* Fee amount is project dependent. Infrastructure Reimbursement Fee is the prorated share of the cost of the water and sewer mains based on this project’s percentage of the capacity of the proposed infrastructure project.
Infrastructure Reimbursement Administrative Fee (Per Code 13.02.090)		
Administrative fee assessed on Infrastructure Reimbursement Fee for processing	*	0.1 percent of the Infrastructure Reimbursement Fee

FY 2025 Fee Schedule

Development Plan Review Fee (1536)		
Development plans may consist of but not limited to the following: Stormwater Management, Grading, Landscaping, Lighting, Site Layout, Traffic Control, and Utilities.		
Fee for review of development plans	\$1,000-\$3,000	Plus \$50 per disturbed acre. Subsequent submittals, which generate additional comments, may be charged an additional \$500-\$1,000
<u>3rd Party Review Fee (Outsource)</u>	<u>\$160/hr</u>	<u>Subsequent submittals, which generate additional comments, may be charged an additional \$160/hr.</u>
Fee for review of development plans exempt from stormwater management under 13.28.040.B.3 of the code	400	
Water and Sewer Inspection Fee (R 1341)		
Fee for inspection of public water and sewer improvements		7.5 % of the approved cost estimate for construction of proposed public water and sewer improvements
Public Works Agreement recording fee		
Recording fee for Public Works Agreements		
For 9 pages or less	*	Per Circuit Court Fee Schedule
For 10 pages or more	*	Per Circuit Court Fee Schedule
Stormwater Management As-Built recording fee		
Recording fee for Stormwater Management As-Built.	*	Per Circuit Court Fee Schedule
Subdivision review fee (1536)		
Fee for Subdivision review	200.00	
Resubdivision review fee (1536)		
Fee for Resubdivision reviews	200.00	
Administrative Fee for Connection Fee payment Plans (R 2029)		
Administrative Fee for Connection Fee payment Plans	25.00	
Maps and Copying Fees		
City Street Map	5.00	Ea
Street Map Index	1.00	Ea
Property Maps	3.00	Ea
Sanitary Sewer Utility Maps (400 Scale)	3.00	Ea
Storm Water Utility Maps (400 Scale)	3.00	Ea
Water Main Utility Maps (400 Scale)	3.00	Ea
Sanitary Sewer Contract Drawings	1.00	Ea
Storm Water Contract Drawings	1.00	Ea
Water Main Contract Drawings	1	Ea
Black and White Photocopying (Small Format)	.25	Sq. ft
Black and White Photocopying (Large Format)	.50	Sq. ft
Color Photocopying (Small Format) \$1/sq.ft.	1	Sq. ft
Color Photocopying (Large Format) \$2/sq.ft.	2	Sq. ft

FY 2025 Fee Schedule

Transient		
<i>Slip Fees based on size of vessel</i>	1.05	Per foot per day
Electric 30-amp service	6.00	Per day
Electric 50-amp service	12.00	Per day
Slip Rental – Monthly		
<i>Fees based on size of vessel</i>		
October through April	4.75	Per foot + electric
May through September	6.50	Per foot + electric
Slip Rental – Annual*		
*Annual rates are to be paid in full up front, electric can be billed monthly		
Boats up to and including 30 feet long	1,450	+ electric
Boats 31 feet and longer	56	Per foot + electric
Fuel		
	.50	Per gallon more than the cost per gallon purchase price by the City
Electric Service		
<i>Fees per meter</i>		
Electric 30-amp service	36	Per month
Electric 50-amp service	60	Per month

EMS Services			
	Resident	Non-Resident	
BLS Base Rate	950.00	1,050.00	
ALS1 Emergency Rate	1,100.00	1,200.00	
ALS2 Emergency Rate	1,300.00	1,400.00	
Mileage (per mile)	19.00	19.00	
Oxygen	Bundle	Bundle	
Spinal immobilization	Bundle	Bundle	
BLS On-scene Care	250.00	300.00	
ALS On –scene Care	550.00	650.00	

Water Works			
Temporary connection to fire hydrant (Per Code 13.08.120)			
Providing temporary meter on a fire hydrant for use of City water	64.50	Per linear foot based on the area of the property and is the square root of the lot area, in square feet	
In City	40.00	Plus charge for water used per current In City rate, \$10 minimum	
Out of City	50.00	Plus charge for water used per current Out of City rate, \$10 minimum	
Hydrant flow test (Per Code 13.08.030)			
To perform hydrant flow tests			
In City	125.00	Per request	
Out of City	160.00	Per request	
Fire flush and Fire pump test (Per Code 13.08.030)			
To perform hydrant flow tests To perform meter tests on ¾" and 1" meters.			

FY 2025 Fee Schedule

In City	125.00	Per request
Out of City	160.00	Per request
Meter tests (Per Code 13.08.030)		
To perform meter tests on ¾" and 1" meters.		
In City	40.00	Per request
Out of City	50.00	Per request
Water Meter/Tap Fee and Sewer Connection Fee (Per Code 13.02.070)		
Water Meter/Tap Fee and Sewer Connection Fee if water and sewer services are installed by City forces.	*	The tap and connection fee amount is the actual cost of SPW labor and materials or per this schedule.
Water Tapping Fees - In City:		
¾ Water Meter	3,850	Per Connection
1" Water Meter	4,160	Per Connection
1 ½" Water Meter T-10 Meter	5,810	Per Connection
2" Water Meter - T-10 Meter	6,200	Per Connection
2" Water Meter - Tru Flo	7,320	Per Connection
Water Tapping Fees - Out of City		
¾ Water Meter	4,810	Per Connection
1" Water Meter	5,200	Per Connection
1 ½" Water Meter T-10 Meter	7,265	Per Connection
2" Water Meter - T-10 Meter	7,750	Per Connection
2" Water Meter - Tru Flo	9,155	Per Connection
Sanitary Sewer Tapping Fees - In City:		
6" Sewer Tap	3,320	Per Connection
8" Sewer Tap	3,380	Per Connection
6" or 8" Location & Drawing Fee	45	Per Connection
Sanitary Sewer Tapping Fees – Out of City		
6" Sewer Tap	4,150	Per Connection
8" Sewer Tap	4,225	Per Connection
6" or 8" Location & Drawing Fee	60	Per Connection
Water Meter and Setting Fee (Per Code 13.02.070)		
Water meter setting fee for installation of water meter when tap is done by a contractor. Water meter fee is the cost of the meter.		
Meter Setting Fees - In City:		
¾ Water Meter	125	Per Connection
1" Water Meter	125	Per Connection
1 ½" Water Meter	150	Per Connection
2" Water Meter	150	Per Connection
Larger than 2"	1,000	Per Connection
Meter Setting Fees - Out of City		
¾ Water Meter	175	Per Connection
1" Water Meter	175	Per Connection
1 ½" Water Meter	200	Per Connection
2" Water Meter	200	Per Connection
Larger than 2"	1,250	Per Connection
Meter Fees		
¾ Water Meter	400	
1" Water Meter	500	
1 ½" Water Meter	*	Determined by current market price of the meter

FY 2025 Fee Schedule

2" Water Meter	1,200	
Larger than 2"	*	Determined by current market price of the meter

Parking Violations, False Alarms, Infractions, Scofflaw, MPIA Fees (by the Police & Fire Departments)			
Animal Control	50-100		Police Department
MPIA Request Fees			Police Department
First two hours processing request	Waived		
Work exceeding two hours, SPD will charge attorney hourly fee and hourly fee for Records Tech	75 165 30 40	Attorney hourly fee Records Tech Departmental Employee hourly fee	
Black and white copy of paper document and photographs	0.25	Per copy	
DVD Digital medium production	15.00	Per DVD unit produced	
False Police Alarms (Per Code 8.040.050)			Police Department
<i>based on number of incidents in calendar year</i>			
First 2 incidents	0		
3 rd incident	50		
4 th incident	90		
Greater than 4 each incident	130		
False Fire Alarms (Per Code 8.040.050)			Fire Department
<i>based on number of incidents in calendar year</i>			
First 2 incidents	0		
3 rd incident	45		
4 th incident	90		
Greater than 4 each incident	135		
Scofflaw			Police Department
Tow	135		
Storage	50		
Administrative Fee	35		
Business Administrative Fee	30		

Parking Permits and Fees

	UOM	1-Jul-24 Rate	1-Jul-24 Non-Profit Rate
Parking Permits (Per Code 10.04.010)			
Lot #1 - lower lot by library	Monthly	55.00	41.25
Lot #4 - behind City Center	Monthly	55.00	41.25
Lot #5 - Market St. & Rt. 13	Monthly	50.00 55.00	37.50 41.25
Lot #7 & 13 - off Garrettson Pl.	Monthly	25.00 30.00	18.75 22.50
Lot #9 - behind GOB	Monthly	55.00	41.25
Lot #10 - near State bldg/SAO	Monthly	55.00	41.25
Lot #11 - behind library	Monthly	50.00 55.00	37.50 41.25
Lot #12 - beside Market St. Inn	Monthly	50.00 55.00	37.50 41.25
Lot #15 - across from NAI Coastal	Monthly	55.00	41.25
Lot #16 - by Avery Hall	Monthly	55.00	41.25

FY 2025 Fee Schedule

Lot #30 - by drawbridge	Monthly	30.00	22.50
Lot #33 - east of Brew River	Monthly	30.00	22.50
Lot #35 - west of Brew River	Monthly	30.00	22.50
Lot SPS - St. Peters St.	Monthly	55.00	41.25
E. Church St.	Monthly	55.00	41.25
W. Church St.	Monthly	55.00	41.25
Parking Garage	Monthly	70.00 75.00	52.50 56.25
Student Housing Bulk Permits (30 or more)		35.00	
Transient Parking Options			
Parking Garage	Hourly	2.00	
Parking Meters Pay Stations	Hourly	2.00	
Pay Stations			
For hours 1-2	Hourly	2.00	
For hour 3 with a 3 hour Maximum Parking Limit	Hourly	3.00	
Miscellaneous Charges (Per Code 10.04.010)			
Replacement Parking Permit Hang Tags	Per Hang Tag	5.00	
Parking Permit Late Payment Fee (+15 days +5 days)	Per Occurrence	5.00	
New Parking Garage Access Card	Per Card	10.00	
Replacement Parking Garage Access Card	Per Card	10.00	

Fire Prevention Fees (by the Fire Department)

Plan review and Use & Occupancy Inspection			
<u>Basic Fee</u> – For all multi-family residential, commercial, industrial, and institutional occupancies. Including, but not limited to, new construction, tenant fit-out, remodeling, change in use and occupancy, and/or any other activity deemed appropriate by the City of Salisbury Department of Infrastructure and Development.		60% of the building permit fee; \$75 \$125 minimum (Not included – plan review and related inspection of specialized fire protection equipment as listed in the following sections) A 10% (\$75 minimum, \$250 maximum) deposit is due at the time of submittal. The balance is due prior to issuing the Building Permit.	
<u>Expedited Fees</u> – If the requesting party wants the plan review and inspection to be expedited, to be done within three business days		20 25% of the basic fee; \$500 300 minimum (This is in addition to the basic fee)	
<u>After</u> – Hours Inspection Fees. If the requesting party wants an after-city-business-hours inspection.	\$100 125	Per hour/per inspector; 2 hours minimum	
Site/Development Plan Review Fee			
The review of site plans for all new commercial and industrial projects or new commercial, residential, or industrial developments. To ensure compliance with the Fire Prevention Code.	\$100 275	Per submittal	
Fire Protection Permit Fees			
Fire Alarm & Detection Systems – Includes plan review and inspection of wiring, controls, alarm and detection equipment and related appurtenances needed to provide a complete system and the witnessing of one final acceptance test per system of the completed installation.			
• Fire Alarm System	\$100	Per system	
• Fire Alarm Control Panel	\$75	Per panel	
• Alarm Initiating Device	\$1.50	Per device	
• Alarm Notification Device	\$1.50	Per device	
• Fire Alarm Counter Permit	\$75	For additions and alterations to existing systems involving 4 or less notification/initiating devices.	
Sprinkler, Water Spray and Combined Sprinkler & Standpipe Systems – Includes review of shop drawings, system inspection and witnessing of one hydrostatic test, and one final acceptance test per floor or system.			
• NFPA 13 & 13R	\$1.50	Per sprinkler head; 150 minimum	
• NFPA 13D	100 125	Per Dwelling	

FY 2025 Fee Schedule

<ul style="list-style-type: none"> Sprinkler Counter Permit 	\$75	For additions and alterations to existing systems involving less than 20 heads.
<p>Standpipe Systems – The fee applies to separate standpipe and hose systems installed in accordance with NFPA 14 standard for the installation of standpipe and hose systems as incorporated by reference in the State Fire Prevention Code (combined sprinkler systems and standpipe systems are included in the fee schedule prescribed for sprinkler systems) and applies to all piping associated with the standpipe system, including connection to a water supply, piping risers, laterals, Fire Department connection(s), dry or draft fire hydrants or suction connections, hose connections, piping joints and connections, and other related piping and appurtenances; includes plan review and inspection of all piping, control valves, connections and other related equipment and appurtenances needed to provide a complete system and the witnessing of one hydrostatic test, and one final acceptance test of the completed system.</p>	\$50	Per 100 linear feet of piping or portion thereof; \$100 150 minimum
<p>Fire Pumps & Water Storage Tanks – The fees include plan review and inspection of pump and all associated valves, piping, controllers, driver and other related equipment and appurtenances needed to provide a complete system and the witnessing of one pump acceptance test of the completed installation. Limited service pumps for residential sprinkler systems as permitted for NFPA 13D systems and water storage tanks for NFPA 13D systems are exempt.</p>		
<ul style="list-style-type: none"> Fire Pumps 	\$.50	Per gpm or rated pump capacity; \$125 150 minimum
<ul style="list-style-type: none"> Fire Protection Water Tank 	\$75	Per tank
<p>Gaseous and Chemical Extinguishing Systems – Applies to halon, carbon dioxide, dry chemical, wet chemical and other types of fixed automatic fire suppression systems which use a gas or chemical compound as the primary extinguishing agent. The fee includes plan review and inspection of all piping, controls, equipment and other appurtenances needed to provide a complete system in accordance with referenced NFPA standards and the witnessing of one performance or acceptance test per system of the completed installation.</p>	\$1.00 150	Per pound of extinguishing agent; \$100-125 minimum; or \$150 per wet chemical extinguishing system Per system
<ul style="list-style-type: none"> Gaseous and Chemical Extinguishing System Counter Permit 	\$75	To relocate system discharge heads
<p>Foam Systems – The fee applies to fixed extinguishing systems which use a foaming agent to control or extinguish a fire in a flammable liquid installation, aircraft hangar and other recognized applications. The fee includes plan review and inspection of piping, controls, nozzles, equipment and other related appurtenances needed to provide a complete system and the witnessing of one hydrostatic test and one final acceptance test of the completed installation.</p>	\$75	Per nozzle or local applicator; plus \$1.50/ sprinkler head for combined sprinkler/foam system; \$100 150 minimum
<p>Smoke Control Systems – The fee applies to smoke exhaust systems, stair pressurization systems, smoke control systems and other recognized air-handling systems which are specifically designed to exhaust or control smoke or create pressure zones to minimize the hazard of smoke spread due to fire. The fee includes plan review and inspection of system components and the witnessing of one performance acceptance test of the complete installation.</p>	\$100	Per 30,000 cubic feet of volume or portion thereof of protected or controlled space; \$200 minimum

FY 2025 Fee Schedule

Flammable and Combustible Liquid Storage Tanks – This includes review and one inspection of the tank and associated hardware, including dispensing equipment. Tanks used to provide fuel or heat or other utility services to a building are exempt.	\$.01	Per gallon of the maximum tank capacity; 100 150 minimum
Emergency Generators – Emergency generators that are a part of the fire/life safety system of a building or structure. Includes the review of the proposed use of the generator, fuel supply and witnessing one performance evaluation test.	\$100 150	
Permit Reinspection and Retest Fees		
• 1 st Reinspection and Retest Fees	\$75	
• 2 nd Reinspection and Retest Fees	\$150	
• 3 rd and Subsequent Reinspection and Retest Fees	\$200	
Fire Pump or Hydrant Flow Test – to perform any hydrant or fire pump flow test utilizing City water.		
In-City Fee	\$125	
Out-of-City Fee	\$160	
Fire Service Water Mains and their Appurtenances – The fee includes the plan review and witnessing one hydrostatic test and one flush of private fire service mains and their appurtenance installed in accordance with NFPA 24: Standard for the Installation of Private Fire Service Mains and Their Appurtenances	\$100	per 100 linear feet or portion thereof; plus \$50 per hydrant; \$150 minimum
Consultation Fees – Fees for consultation technical assistance.	\$75	Per hour
Fire-safety Inspections. The following fees are not intended to be applied to inspections conducted in response to a specific complaint of an alleged Fire Code violation by an individual or governmental agency		
Assembly Occupancies (including outdoor festivals):		
• Class A (>1000 persons)	\$300 350	
• Class B (301 – 1000 persons)	\$200 235	
• Class C (51 – 300 persons)	\$100 125	
• Fairgrounds (<= 9 buildings)	\$200 250	
• Fairgrounds (>= 10 buildings)	\$400 450	
• Recalculation of Occupant Load	\$75 100	
• Replacement or duplicate Certificate	\$25	
Education Occupancies:		
• Elementary School (includes kindergarten and Pre-K)	\$100	
• Middle, Junior, and Senior High Schools	\$150	
• Family and Group Day-Care Homes	\$75	
• Nursery or Day-Care Centers	\$100	
Health Care Occupancies:		
• Ambulatory Health Care Centers	\$150 175	Per 3,000 sq.ft. or portion thereof
• Hospitals, Nursing Homes, Limited-Care Facilities, Domiciliary Care Homes	\$100 150	Per building; plus \$2.00/patient bed
• Detention and Correctional Occupancies	\$100 150	Per building; plus \$2.00/bed
Residential:		
• Hotels and Motels	\$75 100	Per building; plus \$2.00/guest room
• Dormitories	\$2	Per bed; \$75 100 minimum
• Apartments	\$2 150	Per apartment building; plus \$2.00 per dwelling unit; \$75 200 minimum
• Lodging or Rooming House	\$75 125	Plus \$2.00/bed
• Board and Care Home	\$100 125	Per building; plus \$2.00/bed
Mercantile Occupancies:		

FY 2025 Fee Schedule

• Class A (> 30,000 sq.ft.)	\$200 250	
• Class B (3,000 sq.ft. – 30,000 sq.ft.)	\$100 150	
• Class C (< 3,000 sq.ft.)	\$75 100	
Business Occupancies	\$75 100	Per 3,000 sq.ft. or portion thereof
Industrial or Storage Occupancies:		
• Low or Ordinary Hazard	\$75 100	Per 5,000 square feet or portion thereof
• High-Hazard	\$100 175	Per 5,000 square feet or portion thereof
Common Areas of Multitenant Occupancies (i.e., shopping centers, high-rises, etc.)	\$45 55	Per 10,000 sq.ft. or portion thereof
Outside Storage of Combustible Materials (scrap tires, tree stumps, lumber, etc.)	\$100 150	Per acre or portion thereof
Outside Storage of Flammable or Combustible Liquids (drums, tanks, etc.)	\$100 150	Per 5,000 sq.ft. or portion thereof
Marinas and Piers	\$100 150	Per facility; plus \$1.00/slip
Mobile Vendor	\$35 55	Plus \$.56/mile for inspections outside of the City of Salisbury
Sidewalk Café	\$35 55	If not part of an occupancy inspection
Unclassified Inspection	\$75 100	Per hour or portion thereof
<u>Fire Safety</u> Reinspection: If more than one reinspection is required to assure that a previously identified Fire Code violation is corrected		
• 2 nd Reinspection	\$100 125	
• 3 rd Reinspection	\$250 200	
• 4 th and Subsequent	\$500 275	
Fire Protection Water Supply Fees		
Witnessing Fire Main Flush	\$75	
Witness Underground Water Main Hydrostatic Tests	\$75	
Fireworks Permit		
Firework Display - Includes plan review and associated inspections for any firework display.	\$250 450	
Sale of Consumer Fireworks		
Stand-alone tent, stand or other commercial space predominately utilized for the sale of consumer fireworks	\$250	
Other commercial space predominately utilized for the sale of goods other than consumer fireworks	\$125	
Fire Report Fees		
Third Party Fire Protection Report Processing Fee	\$25	Per submittal – Collected by the third-party data collection agency/company
<u>Operational Fire Report</u>	\$25	<u>To provide hard or electronic copies of operational fire reports</u>

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

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

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

45 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
46 of Salisbury held on the 13th day of May, 2024 and thereafter, a statement of the substance of the Ordinance
47 having been published as required by law, in the meantime, was finally passed by the Council of the City
48 of Salisbury on the __ day of _____, 2024.

49 ATTEST:

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52 _____
53 Kimberly R. Nichols, City Clerk

D'Shawn M. Doughty, City Council President

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56 Approved by me, this _____ day of _____, 2024.

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60 _____
61 Randolph J. Taylor, Mayor

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ORDINANCE NO. 2873

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2024 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO THE SALISBURY FIRE DEPARTMENT'S OPERATING BUDGET.

WHEREAS, the City has surpassed what was originally budgeted for gasoline in the Fire Department; and

WHEREAS, the City's fuel budget has not kept up with the inflated price of gasoline seen during FY24; and

WHEREAS, there are insufficient funds available in the FY24 Fire Department Budget to cover the required expenses; and

WHEREAS, the Fire Department requires additional funds to continue to operate through the remainder of FY24 without impacting services; and

WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

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

Section 1. The City of Salisbury's Fiscal Year 2024 General Fund Budget be and is hereby amended as follows:

- (a) Increase the Current Year Surplus Account (01000-469810) by \$20,000.00
- (b) Increase the Salisbury Fire Department's Gasoline Account (24035-556204) by \$20,000.00

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

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

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

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

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

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 20th day of May, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2024.

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ATTEST:

Kimberly R. Nichols, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

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ORDINANCE NO. 2874

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2024 GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS REQUIRED FOR LEGAL SERVICES.

WHEREAS, the City of Salisbury is requiring services of a special counsel for labor training and negotiations; and

WHEREAS, the City of Salisbury has determined an additional \$125,000 will be required for these services; and

WHEREAS, the appropriations necessary to execute the appropriation of \$125,000 as provided hereinabove, must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

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

Section 1. Mayor Randolph J. Taylor is hereby authorized to appropriate funds for special counsel services in the amount of \$125,000.

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

Section 2. The City of Salisbury’s FY24 General Fund Budget be and hereby is amended as follows:

Increase (decrease)	Account Type	Account	Description	Amount
Increase	Revenue	01000-469810	Current Year Surplus	\$125,000
Increase	Expenditure	17000-513302	Other City Attorney	\$125,000

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.

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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 20th day of May, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2024.

ATTEST:

Kimberly R. Nichols, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2024.

Randolph J. Taylor, Mayor

INTER

OFFICE

MEMO

Finance Department

To: Andy Kitzrow, City Administrator
From: Keith Cordrey, Director of Finance *KAC*
Subject: Budget Ordinance – Various Capital Projects
Date: May 20, 2024

The purpose of Ordinance 2865 was to move up projects planned to be appropriated in the FY2025 budget in order to consolidate bond issues and save bond issuance expense.

Incorrect projects for the Water Sewer Fund were inadvertently included in Ordinance 2865. Therefore, Section 2 of the attached ordinance reverses the appropriations incorrectly assigned by Ordinance 2865.

Section 3 in the attached ordinance includes the correct projects intended to be brought in Ordinance 2865.

Unless you or the Mayor has further questions, please forward this Ordinance to the Salisbury City Council.

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ORDINANCE NO. 2875

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE
MAYOR TO APPROPRIATE FUNDS FOR VARIOUS CAPITAL
PROJECTS.**

WHEREAS, the City of Salisbury has determined Capital Projects, to be funded from Bond Proceeds, would best be funded in the FY24 Bond Issue to consolidate planned bond issuances in order to save bond issuance expense; and

WHEREAS, Section 3 of Ordinance 2865 incorrectly included appropriations for projects previously approved in Ordinance 2802 and, consequently, must be stricken or removed; and

WHEREAS, those projects that will be stricken are removed are set forth in Section 2 below and the correct projects added are set forth in Section 3 below; and

WHEREAS, the appropriations necessary as set forth herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

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

Section 1. Mayor Randolph J. Taylor is hereby authorized to appropriate funds for the projects listed in Section 2 and Section 3 below.

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

Section 2. The City of Salisbury’s Water Sewer Capital Project Fund Budget be and hereby is amended as follows:

Account	Project Description		Amount
96124-513026-TBD	Restore Park Well Field	Decrease	175,000
96124-513026-TBD	Restore Paleo Well Field	Decrease	217,000
96124-513026-TBD	WWTP Electric Upgrades	Decrease	1,060,493
96124-513026-TBD	Park Well Field Raw Water Main & Valve Rplc	Decrease	875,000
96124-513026-TBD	Glen Avenue Lift Station	Decrease	750,000
96124-513026-TBD	WWTP Outfall Inspection and Repairs	Decrease	500,000
96124-513026-TBD	Southside Pump Station Force Main	Decrease	495,000
961214-588900	Issuance Cost	Decrease	141,203

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Section 3. The City of Salisbury’s Water Sewer Capital Project Fund Budget be and hereby is amended as follows.

96124-513026-TBD	Park Well Field	Increase	550,000
96124-513026-TBD	Park Well 2	Increase	350,000
96124-513026-TBD	Solid Waste Disp	Increase	810,250
96124-513026-TBD	Southside Pump Station Force Main	Increase	295,000
961214-588900	Issuance Cost	Increase	141,203

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

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

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

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

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

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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the _____ day of _____, 2024 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2024.

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ATTEST:

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Kimberly R. Nichols, City Clerk

D’Shawn M. Doughty, City Council President

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Approved by me, this _____ day of _____, 2024.

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Randolph J. Taylor, Mayor

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To: Andy Kitzrow, City Administrator

From: Cori Cameron, Director of Water Works

Date: 5/24/24

RE: Budget amendment for Filter Replacement Project

The Department of Water Works is preparing for the design of Granular Activated Carbon (GAC) Filters at the Paleo Water Plant to remove PFAS from our drinking water and to meet the upcoming 2029 regulations. We currently have four and a half years to do a study, complete design, construct and put on line a new filter treatment system. Realistically this schedule is tight but achievable. We have applied for federal funding for the study and we hope to find out if we receive that sometime this summer. In the meantime, we need to prepare to move forward with design so we have some solid construction numbers by January to apply for federal funding for construction.

The water plant has an end of year surplus of funds in the chemical operating account, due to a decrease in the price of caustic soda this fiscal year. I would like to request to move these funds into the Paleo WTP filter project account for the purpose of adding the PFAS filters to this design. The PFAS design will include a bench study to determine the best rate and size of the granular activated carbon filters. The GAC system design is for PFAS removal of up to 10 million gallons per day and additional miscellaneous items to complete the scope of work.

The filter design will encompass the backwash equalization basin at the Paleo Water Treatment Plant. The new large filter building will go where the current backwash basin is located and we will need to move and build a new backwash basin outside of the fence line. Therefore, I would like to move the money for the backwash equalization project into the filter project because it is now all combined into one design and construction project.

Funds are available in:

Account # 96124-513026-50049 Paleo Equalization Basin \$120,000

Account # 82075-546004 Water Treatment Plant Chemicals \$342,737

Funds will be transferred into the Filter Replacement Project account #97010-513020-50043.

39 **Section 3.** The City of Salisbury’s Water Sewer Capital Project Fund Budget be and hereby is
 40 amended as follows:
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Increase Decrease	Account Type	Project Description	Account	Account Description	Amount
Decrease	Revenue	Paleo Equalization Basin	96024-469313- 50049	Transfer Water Sewer Capital Projects	120,000
Decrease	Expense	Paleo Equalization Basin	96124-513026- 50049	Construction	120,000
Increase	Expense	Filter Replacement Project	96024-469313- 50043	Transfer Water Sewer Capital Projects	462,737
Increase	Expense	Filter Replacement Project	96124-513020- 50043	Engineering	462,737

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 43 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
 44 **SALISBURY, MARYLAND,** as follows:
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46 **Section 4.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
 47 of this Ordinance shall be deemed independent of all other provisions herein.
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49 **Section 5.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
 50 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
 51 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
 52 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
 53 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.
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55 **Section 6.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
 56 if such recitals were specifically set forth at length in this Section 6.
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58 **Section 7.** This Ordinance shall take effect from and after the date of its final passage.
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60 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
 61 Salisbury held on the _____ day of _____, 2024 and thereafter, a statement of the substance
 62 of the Ordinance having been published as required by law, in the meantime, was finally passed by the
 63 Council of the City of Salisbury on the _____ day of _____, 2024.
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65 **ATTEST:**

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 69 **Kimberly R. Nichols, City Clerk**

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 69 **D’Shawn M. Doughty, City Council President**

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 72 Approved by me, this _____ day of _____, 2024.
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 76 **Randolph J. Taylor, Mayor**
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