

CHARTER AMENDMENT RESOLUTION NO. 2025-1

A RESOLUTION TO AMEND ARTICLE 16 OF THE CITY CHARTER TO UPDATE THE CHAIN OF COMMAND OF THE DIRECTOR OF PROCUREMENT.

WHEREAS, the ongoing application, administration, and enforcement of the City Charter demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of the Charter current; and

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC 21-2 of the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality; and

WHEREAS, the Mayor and Council find that the foregoing amendments to § SC 16-1 and § SC 16-2 of the City Charter are desirable to conform with the public need to operate the City and to update the chain of command of the Director of Procurement; and

WHEREAS, the Mayor and Council have determined that amendments to § SC 16-1 and § SC 16-2 of the Charter shall be adopted as set forth herein; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY by virtue of the authority granted in Article XI-E of the Maryland Declaration of Rights, §§ 4-301 *et seq.* of the Local Government Article of the Code of Maryland, and Article XXI of the City Charter as follows:

Section 1. It is proposed and recommended that § SC 16-1 be amended to repeal the language in double bold brackets and adding the underscored and italicized language:

§ SC16-1. Department of Procurement.

- A. There shall be a Department of Procurement[[[.]]] A Director of Procurement shall be recommended for appointment by the **[[Deputy]]** City Administrator and appointed by the Mayor as provided in § SC3-4.C of the City Charter.
- B. Under the authority of the Mayor and the supervision of the **[[Deputy]]** City Administrator, the Director of Procurement shall make all city purchases and sales and shall make or approve all city contracts, except contracts to sell city bonds or other evidences of the city’s public debt, and except that the Council by ordinance may permit direct purchasing by any office, department or agency of minor items where immediate procurement is

necessary to prevent delays in its work and resulting in loss to the city. The Council by ordinance shall fix, and from time to time may change, the maximum amount of any such direct purchase, provided that such maximum authorized amount shall in no event exceed the maximum direct purchase amount set by the Ordinance of the Council, from time to time. The Director of Procurement shall issue regulations controlling the procedure for such direct purchasing.

- C. Except for such contracts to sell public debt securities and such direct purchases, no city purchase or contract for any purchase or sale or other contract shall be valid or enforceable unless approved in writing by the Director of Procurement or their authorized designee, and the City Administrator shall pay out no city funds for any contract or purchase unless so approved.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 2. With this proposed Charter Amendment, § SC 16-1 of the Charter would read:

§ SC16-1. Department of Procurement.

- A. There shall be a Department of Procurement. A Director of Procurement shall be recommended for appointment by the City Administrator and appointed by the Mayor as provided in § SC3-4.C of the City Charter.
- B. Under the authority of the Mayor and the supervision of the City Administrator, the Director of Procurement shall make all city purchases and sales and shall make or approve all city contracts, except contracts to sell city bonds or other evidences of the city's public debt, and except that the Council by ordinance may permit direct purchasing by any office, department or agency of minor items where immediate procurement is necessary to prevent delays in its work and resulting in loss to the city. The Council by ordinance shall fix, and from time to time may change, the maximum amount of any such direct purchase, provided that such maximum authorized amount shall in no event exceed the maximum direct purchase amount set by the Ordinance of the Council, from time to time. The Director of Procurement shall issue regulations controlling the procedure for such direct purchasing.
- C. Except for such contracts to sell public debt securities and such direct purchases, no city purchase or contract for any purchase or sale or other contract shall be valid or enforceable unless approved in writing by the Director of Procurement or their authorized designee, and the City Administrator shall pay out no city funds for any contract or purchase unless so approved.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
SALISBURY:**

Section 3. It is proposed and recommended that § SC 16-2 be amended to repeal the language in double bold brackets and adding the underscored and italicized language:

§ SC16-2. Additional duties and powers of the Director of Procurement.

Under the authority of the Mayor and the supervision of the **[[Deputy]]** City Administrator, the Director of Procurement shall:

- A. Receive written requisitions or statements from the head of each city office, department or agency, specifying the public work done or to be done by it, or identifying the materials, equipment, supplies or services required by it, and authorizing its appropriation to be charged therefor.
- B. Invite bids whenever competitive bidding is required by § SC16-3 of this Article and conduct the competitive bidding procedure established by the Council under § SC16-4 of this Article.
- C. Enforce accounting control of each city purchase or contract as required by § SC16-6 of this Article and refuse to approve any purchase or contract involving any over expenditure prohibited thereby.
- D. After consulting the head of each city office, agency or department affected thereby, establish and enforce specifications with respect to supplies, materials, equipment and services required by it, except that any specifications fixed by the Board of Standardization created by § SC16-7 of this Article shall have precedence and be controlling.
- E. Through appropriate city offices, agencies or department see that all supplies, materials, equipment and services delivered to or performed for the city meet such specifications and arrange for the storage and proper care and custody of city property.
- F. Authorize the transfer of surplus or unused city property to or between city offices, departments or agencies.
- G. From time to time recommend to the Mayor and Council the sale or other disposition of surplus, obsolete or unused city property and obtain expert appraisal(s) thereof or estimate its value using his or her best information and judgment.
- H. Perform such other functions related to purchasing or the city's fiscal and financial affairs as the Mayor or the Council may require.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
SALISBURY:**

Section 4. With this proposed Charter Amendment, § SC 16-2 of the Charter would read:

§ SC16-2. Additional duties and powers of the Director of Procurement.

Under the authority of the Mayor and the supervision of the City Administrator, the Director of Procurement shall:

- A. Receive written requisitions or statements from the head of each city office, department or agency, specifying the public work done or to be done by it, or identifying the materials, equipment, supplies or services required by it, and authorizing its appropriation to be charged therefor.
- B. Invite bids whenever competitive bidding is required by § SC16-3 of this Article and conduct the competitive bidding procedure established by the Council under § SC16-4 of this Article.
- C. Enforce accounting control of each city purchase or contract as required by § SC16-6 of this Article and refuse to approve any purchase or contract involving any over expenditure prohibited thereby.
- D. After consulting the head of each city office, agency or department affected thereby, establish and enforce specifications with respect to supplies, materials, equipment and services required by it, except that any specifications fixed by the Board of Standardization created by § SC16-7 of this Article shall have precedence and be controlling.
- E. Through appropriate city offices, agencies or department see that all supplies, materials, equipment and services delivered to or performed for the city meet such specifications and arrange for the storage and proper care and custody of city property.
- F. Authorize the transfer of surplus or unused city property to or between city offices, departments or agencies.
- G. From time to time recommend to the Mayor and Council the sale or other disposition of surplus, obsolete or unused city property and obtain expert appraisal(s) thereof or estimate its value using his or her best information and judgment.
- H. Perform such other functions related to purchasing or the city's fiscal and financial affairs as the Mayor or the Council may require.

Section 5. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for November 24, 2025, at 6:00 p.m.

Section 6. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

Section 7. The title of this Resolution shall be deemed a fair summary of the amendments provided for herein for publication and all other purposes.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 8. This Resolution shall take effect on the fiftieth day after the Resolution is adopted, subject to the right of referendum.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

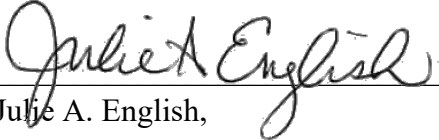
Section 9. It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

Section 10. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause, or provision of this Resolution 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 Resolution shall remain and shall be deemed valid and enforceable.

Section 11. The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 11.

This Resolution was introduced, read, and passed at the regular meeting of the Council of the City of Salisbury held on 24 day of November, 2025.



Julie A. English,
City Clerk



Angela M. Blake,
City Council Interim President