

RESOLUTION No. 3461

A RESOLUTION OF THE COUNCIL (THE “COUNCIL”) OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING RESOLUTION NO. 2972, ADOPTED BY THE COUNCIL ON SEPTEMBER 9, 2019, APPROVED BY THE MAYOR ON SEPTEMBER 9, 2019 AND EFFECTIVE ON SEPTEMBER 9, 2019 (“RESOLUTION NO. 2972”), AS AMENDED AND SUPPLEMENTED TO DATE, IN ORDER TO (1) AUTHORIZE AND EMPOWER CITY OF SALISBURY (THE “CITY”) TO USE AND APPLY A PORTION OF THE PRINCIPAL AMOUNT OF THE \$11,225,000 CITY OF SALISBURY PUBLIC IMPROVEMENT BONDS OF 2019 ISSUED ON OCTOBER 8, 2019 (THE “2019 BONDS”), TOGETHER WITH A PORTION OF THE NET ORIGINAL ISSUE PREMIUM RECEIVED BY THE CITY IN CONNECTION WITH THE SALE OF THE 2019 BONDS, IF APPLICABLE, TO A PROJECT IDENTIFIED HEREIN AS “112 W. CHURCH STREET – CITY HALL” IN ADDITION TO THE PRIOR AUTHORIZED PROJECTS IDENTIFIED HEREIN, AND (2) IDENTIFY SUCH ADDITIONAL PROJECT AS A “PROJECT” FOR ALL PURPOSES OF RESOLUTION NO. 2972, AS AMENDED AND SUPPLEMENTED; AUTHORIZING AND EMPOWERING CITY OFFICIALS AND EMPLOYEES TO TAKE CERTAIN ACTIONS WITH RESPECT TO THE 2019 BONDS; PROVIDING THAT THE PROVISIONS OF THIS RESOLUTION SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2019 BONDS.

RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the “City”), is authorized and empowered by 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 of Salisbury, as replaced, supplemented or amended (the “Charter”), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2554, passed by the Council of the City (the “Council”) on August 26, 2019, approved by the Mayor of the City (the “Mayor”) on August 27, 2019 and effective on August 27, 2019 (“Ordinance No. 2554”), the City authorized general obligation bonds to be issued from time to time in one or more series in an original aggregate principal amount not to exceed Twelve Million Four Hundred Eighty-Two Thousand Nine Hundred Seventy-Seven Dollars (\$12,482,977) (the “Authorized Bonds”) in order to finance, reimburse or refinance “costs” and “Costs of the Projects” (each as defined in Section 3(b) of Ordinance No. 2554) of the projects identified in the table below (herein collectively referred to as the “Original Authorized Projects” or individually as an “Original Authorized Project,” and referred to as the “Projects” in Ordinance No.

2554) in the maximum principal amounts set forth opposite each such Original Authorized Project in such Section 3(b):

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 50,000
2.	Water Chiller & Heating and Air Conditioning ¹	300,000
3.	Main Street Master Plan ¹	6,740,000
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	200,000
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	300,000
15.	Urban Greenway Improvements ²	200,000
16.	Street Scaping ²	200,000
17.	Building Lighting and Controls (ECM 1) ³	711,426
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	183,237
20.	Building Envelope Improvement (ECM 4) ³	105,911
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	30,000
	TOTAL	<u>\$12,482,977</u>

¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539).

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2554 and Resolution No. 2972, adopted by the Council on September 9, 2019, approved by the Mayor on September 9, 2019 and effective on September 9, 2019 (“Resolution No. 2972”), the City determined to borrow money for the public purpose of financing or reimbursing “costs” and “Costs of the Projects” (each as defined in Section 2(b) of Resolution No. 2972, which definitions mirror the definitions of “costs” and “Costs of the Projects” set forth in Section 3(b) of Ordinance No. 2554) of the projects specified in Section

2(a) of Resolution No. 2972 (which included all of the Original Authorized Projects), and evidenced this borrowing by the issuance on October 8, 2019 of a single series of the Authorized Bonds in the original aggregate principal amount of Eleven Million Two Hundred Twenty-Five Thousand Dollars (\$11,225,000) and designated as the “City of Salisbury Public Improvement Bonds of 2019” (the “2019 Bonds”); and

WHEREAS, as authorized by Resolution No. 2972, due to net original issue premium received by the City in connection with the sale of the 2019 Bonds (which were referred to as the “Bonds” in Resolution No. 2972), the City was able to reduce the original aggregate principal amount of the 2019 Bonds actually issued from the maximum original aggregate principal amount of the 2019 Bonds provided for in Resolution No. 2972, and thereby to allocate a portion of such net original issue premium, together with the par amount of the 2019 Bonds, to fund costs of the Original Authorized Projects in the maximum aggregate principal amount of \$12,482,977 contemplated by Ordinance No. 2554; and

WHEREAS, a portion of the principal amount of the 2019 Bonds, together with a portion of net original issue premium, was originally appropriated and allocated to the Original Authorized Projects identified in the table in the third preceding WHEREAS clause above, in the amounts specified in such table (for a total of \$12,482,977); and

WHEREAS, references in the remaining Recitals and in the Sections of this Resolution to the “principal amount” of the 2019 Bonds shall be construed to include any portion of net original issue premium allocated to the costs of the Original Authorized Projects, except when references to net original issue premium and/or investment earnings are made in addition to principal amount; and

WHEREAS, pursuant to Ordinance No. 2571, passed by the Council on January 13, 2020 and approved by the Mayor on January 21, 2020, the City reallocated \$1,431 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Phone System Fire Department” to the Original Authorized Project identified as “Roof Replacement Fire Station 1;” and

WHEREAS, pursuant to Ordinance No. 2593, passed by the Council on June 8, 2020 and approved on June 10, 2020 (“Ordinance No. 2593”), the City contemplated the reallocation of \$750,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Street Scaping,” and provided for such reallocation by subsequent appropriate action; and

WHEREAS, pursuant to Ordinance No. 2593, the City also contemplated the reallocation of \$250,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to a project not included in Ordinance No. 2554 or Resolution No. 2972 that is identified in Ordinance No. 2593 as “Rail Trail Master Plan Implementation;” but prior to calendar year 2022, no proceeds of the 2019 Bonds were spent on such additional project; and

WHEREAS, pursuant to (i) Ordinance No. 2596, passed by the Council on June 8, 2020 and approved on June 10, 2020, the Council allocated \$40,000 of interest earnings on proceeds of the 2019 Bonds to the Original Authorized Project identified as “Zoo Admin Office Space,” and (ii) Ordinance No. 2682, passed by the Council on September 27, 2021 and approved by the Mayor on October 6, 2021, the Council allocated \$64,000 of interest earnings on proceeds of the 2019 Bonds to the Original Authorized Project identified as “Zoo Admin Office Space;” and

WHEREAS, pursuant to Ordinance No. 2660, passed by the Council on June 14, 2021 and approved by the Mayor on June 22, 2021 (“Ordinance No. 2660”), the City contemplated the reallocation of an aggregate of \$1,143,674 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the following Original Authorized Projects in the following amounts: (i) \$475,000 to the Original Authorized Project identified as “Bicycle Master Plan Improvements,” (ii) \$450,000 to the Original Authorized Project identified as “Urban Greenway Improvements,” and (iii) \$218,674 to the Original Authorized Project identified as “Street Scaping,” and provided for such reallocation by subsequent appropriate action; and

WHEREAS, pursuant to Ordinance No. 2660, the City also contemplated the reallocation of an aggregate of \$700,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to two projects not included in Ordinance No. 2554 or Resolution No. 2972 that are identified in Ordinance No. 2660 as (i) “Rail Trail Master Plan Implementation,” in the amount of \$300,000, and (ii) “City Park Master Plan Improvements,” in the amount of \$400,000; prior to calendar year 2022, no proceeds of the 2019 Bonds were spent on either such additional project; and

WHEREAS, pursuant to (i) Ordinance No. 2708, passed by the Council on January 24, 2022 and approved by the Mayor on January 25, 2022 (“Ordinance No. 2708”) and (ii) Resolution No. 3149, passed by the Council on February 14, 2022 and approved by the Mayor on February 15, 2022 (“Resolution No. 3149”), the Council respectively amended and supplemented Ordinance No. 2554 and Resolution No. 3972, in order to allow a portion of the principal amount of the 2019 Bonds as well as (by subsequent action) investment earnings on the 2019 Bonds to be applied to costs of two projects respectively identified as “Rail Trail Master Plan Implementation” and “City Park Master Plan Improvements” (collectively, the “2022 Additional Projects” and, individually, a “2022 Additional Project”); and

WHEREAS, Ordinance No. 2708 amended Section 3(b) of Ordinance No. 2554, and Resolution No. 3149 amended Section 2(a) of Resolution No. 2972, in order to provide that a maximum of \$550,000 of the principal amount of the 2019 Bonds was reallocated to the 2022 Additional Project identified as “Rail Trail Master Plan Implementation” and a maximum of \$400,000 of the principal amount of the 2019 Bonds was reallocated to the 2022 Additional Project identified as “City Park Master Plan Improvements;” and

WHEREAS, pursuant to Ordinance No. 2740, passed by the Council on September 26, 2022 and approved by the Mayor on September 30, 2022, the City reallocated (i) \$135,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Street

Scaping” and (ii) \$398,859.64 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Urban Greenway Improvements” to the Original Authorized Project identified as “Street Scaping;” and

WHEREAS, pursuant to Ordinance No. 2855, passed by the Council on February 26, 2024 and approved by the Mayor on March 25, 2024, the City reallocated \$149,000 of the principal amount of the 2019 Bonds originally allocated to the Original Authorized Project identified as “Main Street Master Plan” to the Original Authorized Project identified as “Bicycle Master Plan Improvements;” and

WHEREAS, following the reallocations described above, the principal amount of the 2019 Bonds was reallocated and authorized to be applied to the Original Authorized Projects and the 2022 Additional Projects as follows:

	<u>Project Name</u>	<u>Maximum Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 51,431
2.	Water Chiller & Heating and Air Conditioning ¹	300,000
3.	Main Street Master Plan ¹	3,612,326
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	200,000
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	924,000
15.	Urban Greenway Improvements ²	251,140.36
16.	Street Scaping ²	1,702,533.64
17.	Building Lighting and Controls (ECM 1) ³	711,426
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	183,237
20.	Building Envelope Improvement (ECM 4) ³	105,911
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	28,569
24.	Rail Trail Master Plan Implementation ⁴	550,000
25.	City Park Master Plan Improvements ⁵	400,000
	TOTAL	<u>\$12,482,977</u>

¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539).

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521.

⁴ Project was approved for funding from reallocation of par amount of the Bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2593).

⁵ Project was approved for funding from reallocation of par amount of the Bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2660); and

WHEREAS, the City now desires to reallocate a portion of the principal amount of the 2019 Bonds to a project generally identified in City materials as “112 W. Church Street – City Hall,” which project consists of the acquisition of the property with a street address of 112 W. Church Street, Salisbury, Maryland which is improved with the old City Hall, and the renovation, improvement, furnishing and equipping of such property (the “2026 Additional Project”); and

WHEREAS, the City desires to reallocate a total of \$482,718.00 of the principal amount of the 2019 Bonds to the 2026 Additional Project as follows: (i) \$21.00 from the Original Authorized Project identified as “Field Operations Facility Plan – Phase 2” (which Original Authorized Project is now referred to by the City sometimes as the “Service Center” or by similar names), (ii) \$18,864.00 from the Original Authorized Project identified as “Water Chiller & Heating and Air Conditioning,” (iii) \$328,325.00 from the Original Authorized Project identified as “Building Lighting and Controls (ECM 1),” (iv) \$29,597.00 from the Original Authorized Project identified as “Building Management System (ECM 3),” and (v) \$105,911.00 from the Original Authorized Project identified as “Building Envelope Improvements (ECM 4);” and

WHEREAS, prior to the introduction of this Resolution, the Council passed an Ordinance expanding the list of the Original Authorized Projects set forth in Ordinance No. 2554, as amended and supplemented to date, to include the 2026 Additional Project and amending Ordinance No. 2554, as amended and supplemented to date, to allow a portion of the principal amount of the Authorized Bonds (meaning the 2019 Bonds), as well as net original issue premium of the 2019 Bonds and investment earnings on proceeds of the 2019 Bonds, to be applied to costs of the 2026 Additional Project (the “Companion Ordinance”); and

WHEREAS, accordingly, the City desires to expand the list of the Original Authorized Projects as set forth in Resolution No. 2972, as amended and supplemented to date, in order to allow a portion of the principal amount of the 2019 Bonds (which are referred to as the “Bonds” in Resolution No. 2972), together with net original issue premium and investment earnings, to be applied to costs of the 2026 Additional Project and to identify such 2026 Additional Project as part of the “Projects” for all purposes of Resolution No. 2972, as amended and supplemented; and

WHEREAS, the Original Authorized Projects, together with the 2022 Additional Projects, are referred to in this Resolution as the “Prior Authorized Projects.”

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

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

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

(c) References in this Resolution to "investment earnings" shall be construed to include interest income.

(d) References in this Resolution to "proceeds" of the 2019 Bonds shall be construed to include the principal amount of the 2019 Bonds, net original issue premium received in connection with the sale of the 2019 Bonds, and investment earnings on the principal amount of the 2019 Bonds and such net original issue premium.

(e) References in the Sections of this Resolution to Ordinance No. 2554 shall be construed to mean Ordinance No. 2554 as the allocation of the principal amount of the Authorized Bonds provided for therein (meaning the 2019 Bonds) has been reallocated as described in the Recitals to this Resolution, as Ordinance No. 2554 has been amended and supplemented prior to the date of passage of the Companion Ordinance, and as Ordinance No. 2554 has been further amended and supplemented pursuant to the Companion Ordinance.

(f) References in the Sections of this Resolution to Resolution No. 2972 shall be construed to mean Resolution No. 2972, as amended and supplemented to date, including as the allocation of the proceeds of the 2019 Bonds provided for therein has been reallocated as described in the Recitals to this Resolution and the Companion Ordinance.

(g) References in this Resolution to the application or use of proceeds of the 2019 Bonds to fund costs of the 2026 Revised Projects (as defined in Section 2(d) hereof) shall be construed to mean for purposes of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2554 and Resolution No. 2972, as the same may be amended, modified or supplemented (including as provided for herein), use of such proceeds to finance or reimburse costs of the 2026 Revised Projects.

SECTION 2. AND BE IT FURTHER RESOLVED that:

- (a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2554 and Resolution No. 2972, subsection (a) of Section 2 of Resolution No. 2972 is hereby deleted in its entirety and inserted in place thereof shall be the following:

“**SECTION 2. BE IT FURTHER RESOLVED** that:

(a) Pursuant to the authority of the Enabling Act, the Charter and the Ordinance, subject to any reallocation of proceeds of the Bonds made to date, the City hereby determines to borrow money and incur indebtedness for the public purpose of financing or reimbursing costs (as defined in subsection (b) below) of the following public purpose projects in the maximum amount set forth opposite each such project (which maximum amount may be comprised of principal of the Bonds and available net original issue premium that may be applied for such purposes, except as otherwise expressly provided herein):

	<u>Project Name</u>	<u>Maximum Amount</u>
1.	Roof Replacement Fire Station 1 ¹	\$ 51,431
2.	Water Chiller & Heating and Air Conditioning ¹	281,136
3.	Main Street Master Plan ¹	3,612,326
4.	Bicycle Master Plan Implementation ¹	550,000
5.	Urban Greenway Implementation ¹	775,000
6.	Wayfinding and Signage ¹	50,000
7.	Bridge Maintenance and Replacement ¹	162,000
8.	Street Scaping ¹	206,000
9.	Zoo Admin Office Space ²	100,000
10.	Field Operations Facility Plan – Phase 2 ²	199,979
11.	Field Operations Facility Plan – Phase 3 ²	125,000
12.	Mill Street Bridge Rehabilitation ²	45,000
13.	Naylor Mill Road Bridge Replacement ²	70,000
14.	Bicycle Master Plan Improvements ²	924,000
15.	Urban Greenway Improvements ²	251,140.36
16.	Street Scaping ²	1,702,533.64
17.	Building Lighting and Controls (ECM 1) ³	383,101
18.	Mechanical (ECM 2) ³	387,403
19.	Building Management Systems (ECM 3) ³	153,640
20.	Building Envelope Improvement (ECM 4) ³	0
21.	Garage (Bearing Pad Replacement) ¹	400,000
22.	Parking Garage Structural Repairs ²	592,000
23.	Phone System Fire Department	28,569
24.	Rail Trail Master Plan Implementation ⁴	550,000
25.	City Park Master Plan Improvements ⁵	\$400,000

26.	112 W. Church Street – City Hall ⁶	\$482,718
	TOTAL	<u>\$12,482,977</u>

¹ Project was approved for bond funding in the fiscal year 2019 budget ordinance (Ordinance No. 2482).

² Project was approved for bond funding in the fiscal year 2020 budget ordinance (Ordinance No. 2539). This project is now also sometimes referred to as the “Service Center” or by similar names.

³ Projects were approved for bond funding by Ordinance No. 2521. Projects are further broken down by project components on Schedule B to Ordinance No. 2521.

⁴ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2593).

⁵ Project was approved for funding from reallocation of par amount of issued bonds in the fiscal year 2021 budget ordinance (Ordinance No. 2660).

⁶ This project may be referred to by other names in City materials, including budget materials.

The projects identified in items 1-26 above are collectively referred to herein as the “Projects” and individually as a “Project.” The Projects described in items 1-26 above are identified by approximately the same names as such Projects are identified in City budget or other materials.”

(b) As authorized by Section 3(c) of Resolution No. 2972, the par amount of the 2019 Bonds, as actually issued, was reduced from the maximum original aggregate par amount provided for in Resolution No. 2972 to \$11,225,000, due to the availability of a portion of the net original issue premium provided for in connection with the sale of the 2019 Bonds to be applied to Costs of the Projects (as defined in Resolution No. 2972). Resolution No. 2972 specified that original issue premium and any investment earnings on proceeds of the 2019 Bonds may be spent on Costs of the Projects (as defined therein), including issuance costs, and/or to pay debt service on the 2019 Bonds. In furtherance of Section 3(c) of Resolution No. 2972, the Tax and Section 148 Certificate dated October 8, 2019 executed by the City with respect to the 2019 Bonds (the “2019 Tax Certificate”) provides that (i) \$1,259,977.00 of the net original issue premium received by the City in connection with the sale of the 2019 Bonds, together with the \$11,225,000.00 par amount of the 2019 Bonds, would be applied to fund \$12,482,977.00 of Costs of the Projects (as defined therein), and (ii) any rounding amounts (due to the 2019 Bonds being issued in denominations of \$5,000 and integral multiples thereof) and any portion of what is identified in the 2019 Tax Certificate as the “Bond-Funded Costs of Issuance Portion” not needed for costs of issuance of the 2019 Bonds could be applied to Costs of the Projects (as defined in Resolution No. 2972) or to pay debt service on the 2019 Bonds within any limitations of the Code and the Treasury Regulations (each as defined in the 2019 Tax Certificate).

(c) By undertaking the amendments to Resolution No. 2972 provided for in this Section 2, the City is in effect (i) reflecting certain reallocations of the application of the principal amount of the 2019 Bonds to the costs of the Prior Authorized Projects made prior to the introduction of this Resolution; (ii) adding the Additional 2026 Project identified as item 26 in the table set forth in

subsection (a) above (which amends Section 2(a) of Resolution No. 2972) to the list of the Prior Authorized Projects the costs of which may be financed or reimbursed from the principal amount of the 2019 Bonds, net original issue premium allocated to such costs, and investment earnings; (iii) reallocating a portion of the principal amount of the 2019 Bonds previously allocated to costs of the Prior Authorized Projects to the Additional 2026 Project, in the amounts as described above; and (iv) specifying the maximum amount of the principal amount of the 2019 Bonds and net original issue premium allocated to costs of the Prior Authorized Projects that may be allocated to such 2026 Additional Project, subject to further reallocation in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. By undertaking such amendments to Resolution No. 2972, the City will also be able to allocate or reallocate investment earnings on the proceeds of the 2019 Bonds to costs of such 2026 Additional Project, in addition to allocating or reallocating such investment earnings on costs of the 2026 Revised Projects, in accordance with applicable City budgetary procedures or applicable law. The principal amounts of the 2019 Bonds are hereby appropriated/reappropriated in the maximum amounts set forth in the table in Section 2(a) above (which amends Section 2(a) of Resolution No. 2972).

(d) The Projects identified in items 1-26 in the table set forth in subsection (a) above (which amends Section 2(a) of Resolution No. 2972) are collectively referred to herein as the “2026 Revised Projects.” Subject to the provisions of subsection (e) below and Section 6 of this Resolution, from and after the effective date of this Resolution, all references to the Projects in Resolution No. 2972 shall be deemed to be references to the 2026 Revised Projects, as identified in this Resolution. From and after the effective date of this Resolution, the provisions of this Section 2 shall supersede the provisions of Resolution No. 2972 with respect to the application of proceeds of the 2019 Bonds.

(e) Notwithstanding the foregoing provisions of this Section 2, proceeds of the 2019 Bonds may not be applied to costs of the 2026 Additional Project, nor will the amendments to Resolution No. 2972 provided for in this Section 2 be applicable, until (i) the Companion Ordinance becomes effective in accordance with applicable law and (ii) this Resolution becomes effective in accordance with applicable law.

SECTION 3. AND BE IT FURTHER RESOLVED that, subject to the provisions of Section 2(e) and Section 6 of this Resolution, the following officials of the City: the Mayor, the City Administrator, the Director of Finance, the City Clerk and all other appropriate officials and employees of the City, as applicable, are hereby authorized and empowered to take any and all action necessary to provide for application of the proceeds of the 2019 Bonds to finance or reimburse the costs of the 2026 Revised Projects and to approve, execute and deliver all documents, certificates and instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Resolution. In particular, any one or more of the Mayor, the City Administrator and the Director of Finance may approve, execute and deliver a certificate supplementing the 2019 Tax Certificate.

SECTION 4. AND BE IT FURTHER RESOLVED that from and after the effective date of this Resolution, Resolution No. 2972 shall be deemed amended and supplemented as provided herein and all other terms and provisions of Resolution No. 2972 shall remain in full force and effect.

SECTION 5. AND BE IT FURTHER RESOLVED that the provisions of this Resolution shall be liberally construed in order to effectuate the transactions contemplated by this Resolution.

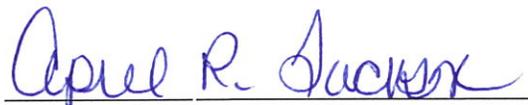
SECTION 6. AND BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption by the Council and approval by the Mayor; provided, however, that in the event the Companion Ordinance does not become effective in accordance with applicable law, the City may not apply proceeds of the 2019 Bonds to pay or reimburse Costs of the Projects of the Additional Projects. Pursuant to Charter Section SC7-46A, this Resolution may not be petitioned to referendum.

THIS RESOLUTION was introduced and duly adopted at a meeting of the Council of the City of Salisbury held on the 2 day of March, 2026.

ATTEST:

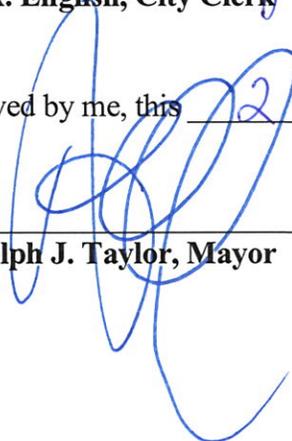


Julie A. English, City Clerk



April R. Jackson, City Council President

Approved by me, this 2 day of March, 2026



Randolph J. Taylor, Mayor

