



# City of Salisbury

## CITY COUNCIL AGENDA



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September 22, 2014  
Government Office Building

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6:00 p.m.  
Room 301

Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION

6:06 p.m. PLEDGE OF ALLEGIANCE

6:08 p.m. PRESENTATIONS – Mayor James Ireton, Jr. and Council President Jacob R. Day

- Certificate of Recognition – Diane C. Nelson, CMC, Assistant City Clerk
- Community Organization – Salisbury Zoological Park’s “Story Time” – presented by Karen Lutz, Salisbury Zoo Docent

6:15 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:17 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols

- August 18, 2014 closed session minutes (separate envelope)
- August 25, 2014 regular meeting minutes
- August 25, 2014 closed session minutes A (separate envelope)
- August 25, 2014 closed session minutes B (separate envelope)
- August 27, 2014 special meeting minutes
- September 2, 2014 work session minutes
- September 2, 2014 closed session minutes (separate envelope)
- September 2, 2014 special meeting minutes
- September 8, 2014 regular meeting minutes
- Resolution No. 2445 - approving the reappointment of Dr. Francis I. Kane to the Ethics Commission for term ending 9/30/2018
- Resolution No. 2446 - approving the reappointment of Dr. Amal K. Ali to the City Park Committee for term ending 10/2017
- Resolution No. 2447 - accepting grant funds from the Governor’s Office of Crime Control & Prevention (GOCCP) to pay for latent fingerprint exams

6:22 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking  
Jennifer L. Miller

- Award of Bid – Contract 104-15 Northside & Southside Pumping Station Upgrades
- Award of Bid – Contract A-03-15 Miscellaneous Chemicals
- Award of Bid – RFP 01-15 Engineering Construction Services for Northside & Southside Pumping Station Improvements

- Declaration of Surplus – Salisbury WWTP - Incubators

6:40 p.m. RESOLUTION – City Administrator Tom Stevenson

- Resolution No. 2448 - authorizing the City of Salisbury to issue and sell two separate series of General Obligation Bonds for up to \$4,009,000 to fund the Facility Renovation – Fire Station #2 Project and up to \$2,800,000 to refund 2004 Bonds

7:00 p.m. ORDINANCE – City Attorney Mark Tilghman

- Ordinance No. 2301 – 2<sup>nd</sup> reading - to amend Section 2.32.050 by adding a Subsection D which establishes a Small Business, Veteran-Owned Small Business and Disabled-Veteran-Owned Small Business preferences in the Award of City Contracts

7:15 p.m. PUBLIC COMMENTS

7:20 p.m. ADJOURNMENT

**Copies of the agenda items are available for review  
in the City Clerk's Office  
Room 305 – City/County Government Office Building  
410-548-3140**

**or  
on the City's web site  
[www.ci.salisbury.md.us](http://www.ci.salisbury.md.us)**

**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 10-508(a), by vote of the City Council.**

**Proposed agenda items for October 13, 2014 (subject to change)**

- Resolution No. \_\_\_\_ - Parking Rate Adjustment & Meter removal for State's Attorney's Office
- Ordinance No. \_\_ - 2<sup>nd</sup> reading – Procurement Preference SDVOB & VOB
- Ordinance No. \_\_\_\_ - 1<sup>st</sup> reading – budget amendment requesting the use of current year surplus to pay travel expenditures for Ron Smith & Associates
- Ordinance No. \_\_\_\_ - 1st reading - Reallocation of the 2003 CDA bonds

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **REGULAR MEETING**

**AUGUST 25, 2014**

4  
5 **PUBLIC OFFICIALS PRESENT**

6  
7 *Council President Jacob R. Day*  
8 *Mayor James Ireton, Jr.*

*Council Vice President Laura Mitchell*  
*Councilwoman Eugenie P. Shields*  
*Councilman Timothy K. Spies*

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11 **IN ATTENDANCE**

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13 *City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, Assistant City*  
14 *Administrator Terence Arrington, City Attorney Mark Tilghman, Internal Services Director*  
15 *Keith Cordrey, interested citizens and members of the press*

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18 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

19  
20 *The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President*  
21 *Day called the meeting to order and invited Rev. John Wright from Unitarian Universalist*  
22 *Fellowship to the podium to deliver the invocation. Thereafter, the Pledge of Allegiance was*  
23 *recited.*

24  
25 **PRESENTATIONS**

- 26  
27 • *Community Organization Presentation - Telamon Corporation, presented by State*  
28 *Director Jennifer Shahan and Operations Coordinator Rosa Rodriguez.*

29 *Council was joined at the podium by Telamon Corporation State Director Jennifer*  
30 *Shahan and Operations Coordinator Rosa Rodriguez. Telamon, a nonprofit organization,*  
31 *is located at the One Stop Job Market in Salisbury and provides support to farmworkers*  
32 *and their families, children born into poverty, low-income and elderly residents, and*  
33 *youth who struggle with societal challenges.*

34 *Mses. Shahan and Rodriguez presented a PowerPoint presentation on the community*  
35 *assistance that Telamon provides and discussed the Letter of Support the City of Salisbury*  
36 *was providing (Resolution No. 2442 to be approved later in the agenda) for Telamon’s*  
37 *grant application to the Maryland Housing Counseling Fund through the Division of*  
38 *Neighborhood Revitalization of the Department of Housing and Community Development.*

39 • Proclamation

40 Mayor James Ireton, Jr. presented a proclamation to proclaim August 25, 2014 as “Gillis  
41 Gilkerson Day” to recognize the 30-plus years Gillis Gilkerson has been in the  
42 construction industry in Salisbury. Present to accept the proclamation were Founder,  
43 Chairman and CEO Palmer Gillis, President Dwight Miller and Vice President James  
44 “J.B.” Barnes.

45 **ADOPTION OF LEGISLATIVE AGENDA**

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47 Mrs. Shields moved, Mrs. Mitchell seconded, and the vote was unanimous (4-0) to approve the  
48 Legislative Agenda.

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50 **CONSENT AGENDA** – presented by City Clerk Kim Nichols

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52 The Consent Agenda was unanimously approved on a 4-0 vote in favor on a motion and  
53 seconded by Mrs. Shields and Mrs. Mitchell, respectively:  
54

- August 4, 2014 work session minutes
- August 4, 2014 special meeting minutes
- Resolution No. 2435 - approving the reappointment of Brenden D. Frederick to the Historic District Commission for the term ending 8/31/2017
- Resolution No. 2436 - approving the appointment of Dr. Joseph Howard to the Salisbury Bicycle-Pedestrian Advisory Committee for term ending 8/31/2017
- Resolution No. 2437 - approving the appointment of Julie R. Skweres to the Salisbury Bicycle-Pedestrian Advisory Committee for term ending 8/31/2017
- Resolution No. 2438 – accepting a donation of a truck from the Salisbury Zoo Commission for the Salisbury Zoological Park
- Resolution No. 2439 - authorizing the Chief of Police to enter into a memorandum of understanding and an agreement with Allied Federal, State, County, Local, and Special Jurisdiction Law Enforcement Agencies in the National Capital Region Law Enforcement Information Exchange (NCR LINX) for the purpose of warehousing intelligence information to be used by all participating agencies in the interest of public safety
- Resolution No. 2440 - authorizing the Chief of Police to enter into a reimbursement agreement between the City of Salisbury Police Department and the Maryland State Police (MSP) Grants Management Section to manage allocated funding for equipment and supplies for the Eastern Shore Information Center (ESIC)
- Resolution No. 2441 – accepting grant funding from the Governor’s Office of Crime Control and Prevention (GOCCP) under the “Stop Gun Violence Reduction Grant – Cease Fire Council” program which is specifically intended to reduce gun related crimes and target wanted offenders in the City of Salisbury
- Resolution No. 2442 – to support Telamon Corporation’s (a private non-private 501 ©(3))

grant application to the Maryland Housing Counseling Fund through the Division of  
Neighborhood Revitalization of the Department of Housing and Community Development

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**AWARD OF BIDS** – presented by Director of Internal Services Keith Cordrey

The Award of Bids, consisting of the following items, was unanimously approved on a 4-0 vote on a motion by Mrs. Mitchell that was seconded by Mrs. Shields:

- Declaration of Surplus – Salisbury Police Department – Duty Weapon for Colonel Ivan Barkley – \$0.00
- Declaration of Surplus – Salisbury Police Department – Bicycles - \$0.00
- Declaration of Surplus – Salisbury Fire Department – Marine 2 (18’ boat) - \$0.00

**ORDINANCES** – presented by City Attorney Mark Tilghman

- *Ordinance No. 2299* – 2<sup>nd</sup> reading – to authorize and empower City of Salisbury (the “city”) to issue and sell from time to time, General Obligation Bonds in one or more series in an aggregate principal amount not to exceed Four Million Two Hundred Thousand Dollars (\$4,200,000.00) to allow for the possibility of proposals for the facility renovation for fire station #2 when received exceed current project/costs of issuance estimates and appropriation

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2299 was unanimously approved for second reading.

- *Ordinance No. 2300* – 2<sup>nd</sup> reading - to authorize and empower City of Salisbury to issue and sell from time to time, General Obligation Bonds in one or more series in an aggregate principal amount not to exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) (the “Original refunding bonds”), the proceeds of the sale thereof to be used and applied for the public purpose of refunding the 2004A bond issued to CDA

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On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2300 was unanimously approved for second reading.

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**PUBLIC COMMENTS**

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There were no comments received from the public, but Fire Chief Rick Hoppes announced that the Salisbury Fire Department was formed on August 25, 1872. Today was their 142<sup>nd</sup> Anniversary.

78

**ADJOURNMENT**

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President Day announced that Council would convene in Closed Session at 7:15 p.m. this evening to interview the final candidate for the Council vacancy, and thereafter adjourned the

82 *Legislative Session at 6:40 p.m.*

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—  
*CITY OF SALISBURY, MARYLAND*

89

*CLOSED SESSION*

90

*AUGUST 18, 2014*

91

92 *TIME & PLACE: 5:42 p.m., Government Office Building – Room 301 Council Chambers*

93 *PURPOSE: To consider the acquisition of real property for a public purpose and*  
94 *matters directly related thereto*

95 *VOTE TO CLOSE: Unanimous (4-0)*

96 *PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell,*  
97 *Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City*  
98 *Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, Assistant*  
99 *City Administrator Terence Arrington, Associate City Attorney Pete Golba*

100 *NOT PRESENT: Mayor James Ireton, Jr.*

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102

103 *The City Council convened in Work Session in Council Chambers, Room #301 of the*  
104 *Government Office Building at 1:32 p.m.*

105

106 *Mrs. Shields moved, Mr. Spies seconded and the vote was unanimous (4-0) to convene in Closed*  
107 *Session in accordance with the Annotated Code of Maryland § 10-508(a)(3). The Closed Session*  
108 *began at 5:42 p.m.*

109

110 *While in Closed Session Council discussed a pending contract negotiation over a piece of*  
111 *property, and directed Counsel to share Council's perspective on the agreement and to finalize*  
112 *the contract.*

113

114 *Mrs. Shields moved, Mrs. Mitchell seconded, and by unanimous vote in favor, President Day*  
115 *adjourned the Closed Session at 6:00 p.m. Council reconvened in Open Session and President*  
116 *Day provided the statement to the Public, and thereafter adjourned the Open Session.*

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120 \_\_\_\_\_  
*City Clerk*

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123 \_\_\_\_\_  
*Council President*

**CITY OF SALISBURY, MARYLAND**

**SPECIAL MEETING**

**AUGUST 27, 2014**

**PUBLIC OFFICIALS PRESENT**

*Council President Jacob R. Day  
Councilwoman Eugenie P. Shields*

*Council Vice President Laura Mitchell  
Councilman Timothy K. Spies*

**PUBLIC OFFICIALS NOT PRESENT**

*Mayor James P. Ireton, Jr.*

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, interested citizens, and members of the press*

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*The City Council convened in a Special Meeting in Council Chambers on August 27, 2014. Council President Jacob R. Day called the meeting to order at 2:10 p.m. The Pledge of Allegiance followed a moment of silent meditation.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous (4-0) to approve the Legislative Agenda.*

**MOTION TO DISCUSS THE PROCESS OF FILLING VACANT COUNCIL POSITION**

*Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous (4-0) to enter into discussion on the process Council followed in order to fill the vacant Council position.*

*President Day recapped the requirements listed in SC6-12 of the City Charter, explained the process taken, and recapped the following timeline Council followed to select the candidate:*

- *Council reviewed the processes used for the past two vacancies to find precedent*
- *Council reviewed the materials submitted, including resumes and letters of interest*
- *Council interviewed each candidate*
- *Council utilized the Ranked Ballot System to develop order in the anonymous process*
- *On August 25, 2014 Council received the resumes and letters of interest, and interviewed*

*all twelve (12) qualified candidates (interviews included questions on Downtown, local business, community and police relations, whether or not they would consider continued service to Council, redistricting, teamwork, concerns and general feelings towards the state of the City, and any questions that they might have had for Council).*

- *In Closed Session, Council ranked their top choices and the top four (4) were identified*
- *After discussion, Council reached consensus that the top four (4) candidates rose to the top of the group and they then rated the top four (4)*
- *The selected candidate was again identified as the number one (1) candidate*

### **MOTION TO APPOINT JOHN “JACK” R. HEATH**

*Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous (4-0) to nominate John “Jack” R. Heath as the replacement for the vacant Council position.*

### **ADJOURNMENT**

*Council President Day congratulated Mr. Heath (who was present in the audience) on being unanimously elected to fill the remainder of the term left vacant with former Councilwoman Cohen’s resignation, and welcomed him to the team.*

*Council Vice President Mitchell thanked all of the applicants for their interest. She explained the Charter was somewhat vague about the process, except to state that a new Council member must be selected within four (4) weeks. She invited all of the candidates to volunteer on a Board or Commission, as they all were very qualified, dedicated people.*

*With no further discussion, Council President Day adjourned the Special Meeting at 2:19 p.m.*

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*City Clerk*

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*Council President*

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CITY OF SALISBURY  
WORK SESSION  
SEPTEMBER 2, 2014

Public Officials Present

Council President Jacob R. Day  
Councilwoman Eugenie P. Shields  
Councilman Timothy K. Spies  
Council Vice President Laura Mitchell  
Councilman John “Jack” R. Heath

Public Officials Not Present

Mayor James Ireton, Jr.

In Attendance

City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, Jr., Internal Services - Assistant Director Procurement and Parking Jennifer Miller, City Attorney Mark Tilghman, Wicomico County - Director of Administration Wayne Strausburg, Wicomico County Recreation, Parks & Tourism Director Gary Mackes, interested citizens and members of the press.

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On September 2, 2014, Salisbury City Council convened in a Work Session at 4:30 p.m. in Conference Room #306 of the Government Office Building following the 4:10 p.m. adjournment of the Special Meeting.

**RFP #04-15 - Disposition and Redevelopment of Lot #30**

Internal Services - Assistant Director Procurement and Parking Jennifer Miller joined Council to discuss the Declaration of Surplus and Award of Exclusive Negotiating Privilege for RFP 04-15 – Disposition and Development of Lot #30.

Ms. Miller explained that solicitations were sought for RFP 04-15 and information was gathered to determine if a recommendation of surplus to Council would be appropriate and in the public’s best interest. She reported receipt of one proposal, from Green Street Housing. This proposal is currently under review by Procurement per the evaluation criteria on the RFP.

There are six people on the evaluation committee including Jack Lenox, Laura Kordzikowski, Mike Moulds, Lori Carter, Keith Cordrey, and Terence Arrington, all who are tasked with deciding whether it is in Salisbury’s best interest to enter into a negotiating period with this vendor. They will prepare a recommendation for Administration after the review is complete, and a decision will be made regarding entering into an ENP (exclusive negotiating period) with the vendor.

Council discussion points included:

- 44 • Art & Entertainment District
- 45 • Flooding issues with the site/elevating the building
- 46 • Permitted parking spaces
- 47 • Lot would ultimately be declared surplus
- 48 • Council unanimously wished the building to be visible with a front on all sides (no back
- 49 of the building to show)
- 50 • Possibly using spoils from other construction sites to increase the value of the property

51  
52 After discussion, Council reached unanimous consensus to authorize Administration to consider  
53 the proposal and potentially move forward in the process in order to enter into an ENP.

54  
55 **Parking Rate Adjustment & Meter Removal for State’s Attorney’s Office**

56  
57 Ms. Miller requested two items on behalf of the City of Salisbury Parking Authority.

58  
59 The State’s Attorney’s Office (SAO) moved their offices downtown on Main Street across from  
60 Parking Lot #10 and have requested that the five (5) to six (6) parking spaces and meters in front  
61 of the new building be eliminated for security reasons by pulling the meters and having the space  
62 designated as a “NO PARKING ZONE.” The County offered to repair the holes left once the  
63 meters are removed.

64  
65 Ms. Miller said the State’s Attorney’s Office employees had previously parked in Lot #7 and #13  
66 at a monthly cost of \$9 per employee, paid for by the County. The current monthly rate in Lot  
67 #10 where they now park is \$28 per employee per month. Ms. Miller asked for permission to  
68 allow the SAO and the Child Advocacy Center (CAC) employees to park in Lot #10 at a reduced  
69 rate of \$9 per month (billed to the County) for the remainder of this year and for all of next year  
70 (for a total of 1 ½ years). She recommended the cost migrating to the standard published permit  
71 rates (currently \$28) in FY17 and afterwards.

72  
73 Council considered the following in their discussion:

- 74
- 75 • Council discussed eliminating the meters in front of the SAO and striping the pavement
- 76 for Emergency Vehicles or possible access for handicap vehicles
- 77 • Mrs. Mitchell asked for clarification on how many accessible spaces were required
- 78 according to the Code. She added that the City has made considerations for the court and
- 79 jurors, and has made accommodations with the Health Department. Many non-profit
- 80 organizations may also request this.
- 81 • Council would like to know what SAO intends to do in front of their building on Main
- 82 Street
- 83 • Most of the spaces in Lot #10 are empty

84  
85 Council reached consensus to allow the removal of the meters on Main Street in front of the  
86 SAO, but first they will require a clear plan on what will replace those meters. They also reached  
87 consensus for the application of appropriate striping, and for Ms. Miller to return to SAO to  
88 discuss using the parking spaces for emergency vehicles and/or handicapped parking.

89

90 Regarding Lot #10, Council discussed allowing SAO to continue paying the \$9 rate through the  
91 current fiscal year only, with the rate reverting to the normal rate for the parking lot, currently  
92 \$28.

93  
94 Council will again consider the removal of the meters in an upcoming Work Session after Ms.  
95 Miller has revisited SAO.

96  
97 **Expansion of Henry S. Parker Sports Complex (Complex)**

98  
99 Wicomico County Director of Administration Wayne Strausburg, Recreation, Parks & Tourism  
100 Director Gary Mackes, Public Works Director Lee Beauchamp, and Parker and Associates Vice  
101 President Brock Parker joined Council to discuss the expansion of the Complex.

102  
103 Mr. Beauchamp reported the results of the Naylor Mill Road traffic study, as follows:

104  
105 The seven (7) day study was performed during the Complex's largest event, the USSSA  
106 Fastpitch World Series. Each day during the tournament, the volume was about 2,500  
107 vehicles in each direction, with 400 trips (around 200 vehicles) using the Scenic Drive  
108 entrance at the Complex. Over the course of the tournament, there were approximately  
109 37,000 trips on Naylor Mill Road with about 5,000 trips onto Scenic Drive off Naylor  
110 Mill Road. Traffic flow going east and west was consistent, with slightly more vehicles  
111 traveling down Rt. 13. Naylor Mill Road has a capacity of about 10,000 trips per day, and  
112 even at the peak of the tournament, only about half of that capacity was used.

113  
114 Summarizing the study, Mr. Beauchamp stated the results were well within industry standards.  
115 He indicated the County would continue the study by placing the counters back out next week to  
116 collect additional data now that school is back in session, but doubted that the traffic volume  
117 during the tournament was higher than the traffic volume during the school year.

118  
119 Additional discussion points included:

- 120
- 121 • Preservation and relocation of the bike trails
  - 122 • Two access roads
  - 123 • First things built will be baseball fields followed by soccer fields
  - 124 • Environmental impact
  - 125 • Economic development
  - 126 • Bike trails on County-owned land north of existing soccer fields are highly regarded
  - 127 • The tournament brings \$12.5 million local economic impact
  - 128 • No nearby residents have expressed concerns
  - 129 • Preservation of the tree canopy; making the best use of the timber harvested from the  
130 property (furniture, firewood, etc.)
  - 131 • Debris not to block the trails
- 132

133 Council unanimously approved to advance the transfer of the City property to the County with  
134 the following conditions (sent to Mr. Mackes on September 4, 2014):

135

- 136 1. Execution of a City-County-ESIMBA MOU to open new mountain biking trails on the City-  
137 owned property on Naylor Mill Road to the south and west of the proposed fields. This  
138 MOU should empower ESIMBA with the responsibility for trail maintenance and  
139 management.
- 140 2. As part of the County’s surveying, engineering and design process, the County will accept  
141 responsibility for determining the most ecologically responsible, sustainable and  
142 structurally logical site for future crossing of the Connelly Mill Branch.
- 143 3. As part of the County’s design and engineering process, the County will document and,  
144 where practical, preserve existing trails along the steep slopes to the north and west of the  
145 proposed fields.
- 146 4. As part of the County’s design process, older and significant trees will be preserved  
147 where possible.
- 148 5. Residual debris from site development and clearing shall not be left on existing trails.

149  
150 **Solar City presentation** (to be presented at Work Session at a later date)

151  
152 **Youth Civics Council Presentation**

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154 Joining Council at the table was Youth Civics Council member Aaron Davis to present his  
155 project about the Wicomico County Board of Education community service requirements. He  
156 suggested there should be a program developed in which students could choose the areas of  
157 service they wished to participate in in order to achieve the required number of community  
158 service hours in order to graduate. He indicated there would be more respect for the community  
159 if all students were required to fulfill these community service hours, but Wicomico County  
160 Board of Education did not currently enforce this requirement.

161  
162 Council thanked Mr. Davis for bringing this observation to their attention. Mr. Day asserted that  
163 the City of Salisbury could play a large role in providing direction for students who wish to  
164 complete their seventy-five service hours.

165  
166 **Expansion of Arts & Entertainment District**

167  
168 Mr. Stevenson explained Administration’s request to make application to the Maryland  
169 Department of Business and Economic Development. He explained that by expanding the  
170 existing boundaries, the City hopes to attract new artists, entertainers and new developers. The  
171 proposed expansion would increase the Arts & Entertainment boundary by 13.8 acres. The  
172 application requires prior approval from Wicomico County in order to apply.

173  
174 Mr. Stevenson explained that there was a suggestion to decrease some of the area to eliminate  
175 part of the roadway and sidewalk along Route 50. He and Assistant City Administrator Terence  
176 Arrington plan to meet with Pamela Dunn, Connie Strott and Lee Whaley on Thursday to discuss  
177 the reduction, and would know whether they would recommend the reduction or not.

178  
179 Mr. Stevenson reported the letter of intent had been sent, but Administration needed Council’s  
180 consensus before moving forward. The deadline to apply is October 1, 2014, so depending upon  
181 the other variables, they have to wait and apply in April 2015.

182

183 Council reached unanimous consensus for Administration to move forward with the application.

184

185 **Motion to convene in Closed Session**

186

187 Mrs. Shields moved, Mr. Heath seconded, and the vote was unanimous to convene in Closed  
188 Session to consult with staff, consultants, or other individuals about pending or potential  
189 litigation (Council to receive an update from Counsel on potential litigation). The Closed Session  
190 began at 6:11 p.m.

191

192 **Adjournment**

193

194 At 6:33 p.m., upon a motion and seconded by Mr. Spies and Mrs. Shields, respectively, and by  
195 unanimous vote in favor, Council President Day adjourned the Closed Session and returned to  
196 Open Session. He provided the statement out to the public that Council had received an update  
197 on pending/potential litigation and other legal matters, and thereafter adjourned the Open  
198 Session.

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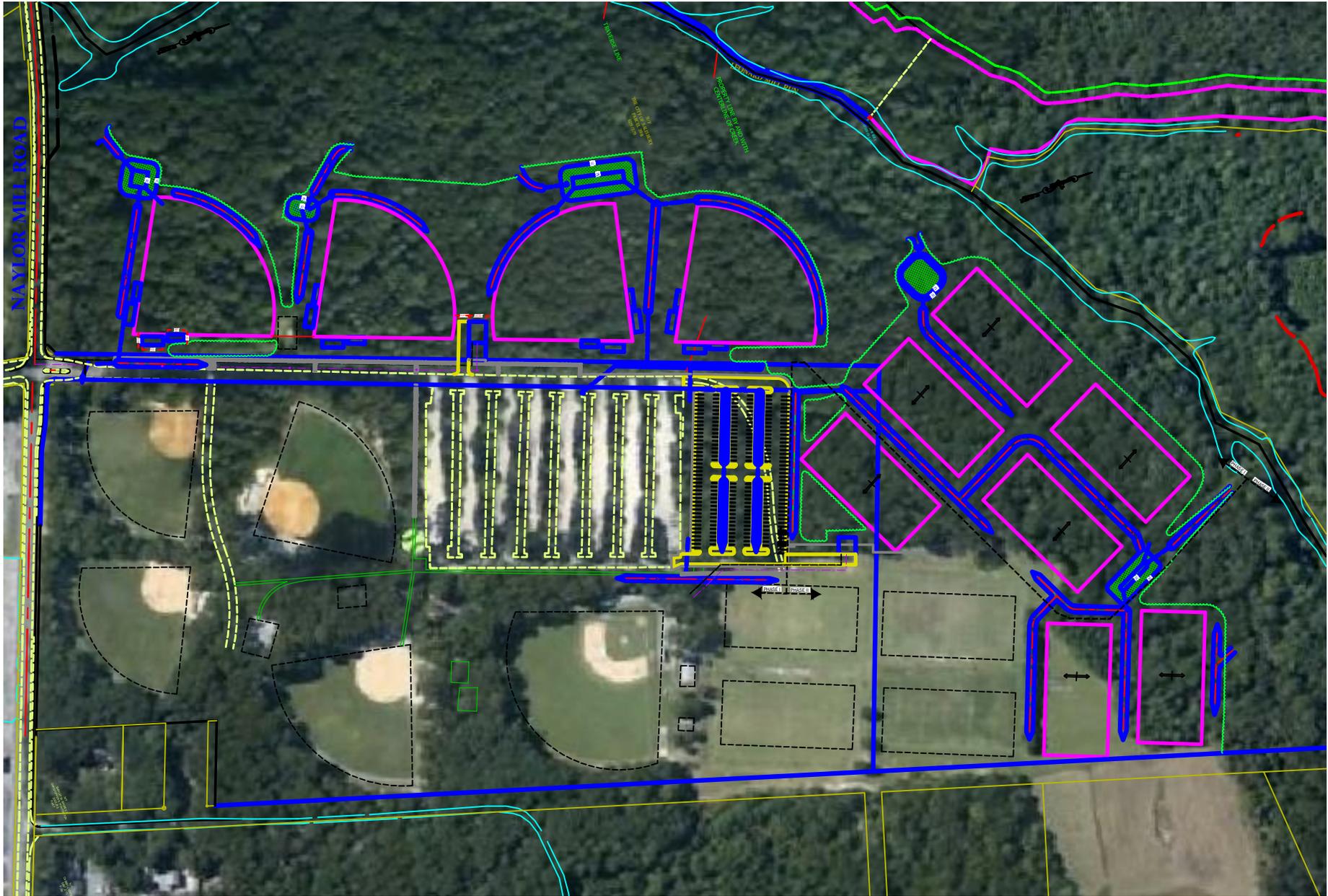
202 \_\_\_\_\_  
City Clerk

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206 \_\_\_\_\_  
Council President



**SHEET 1**

**AERIAL SITE PLAN**  
**HENRY S. PARKER ATHLETIC COMPLEX**

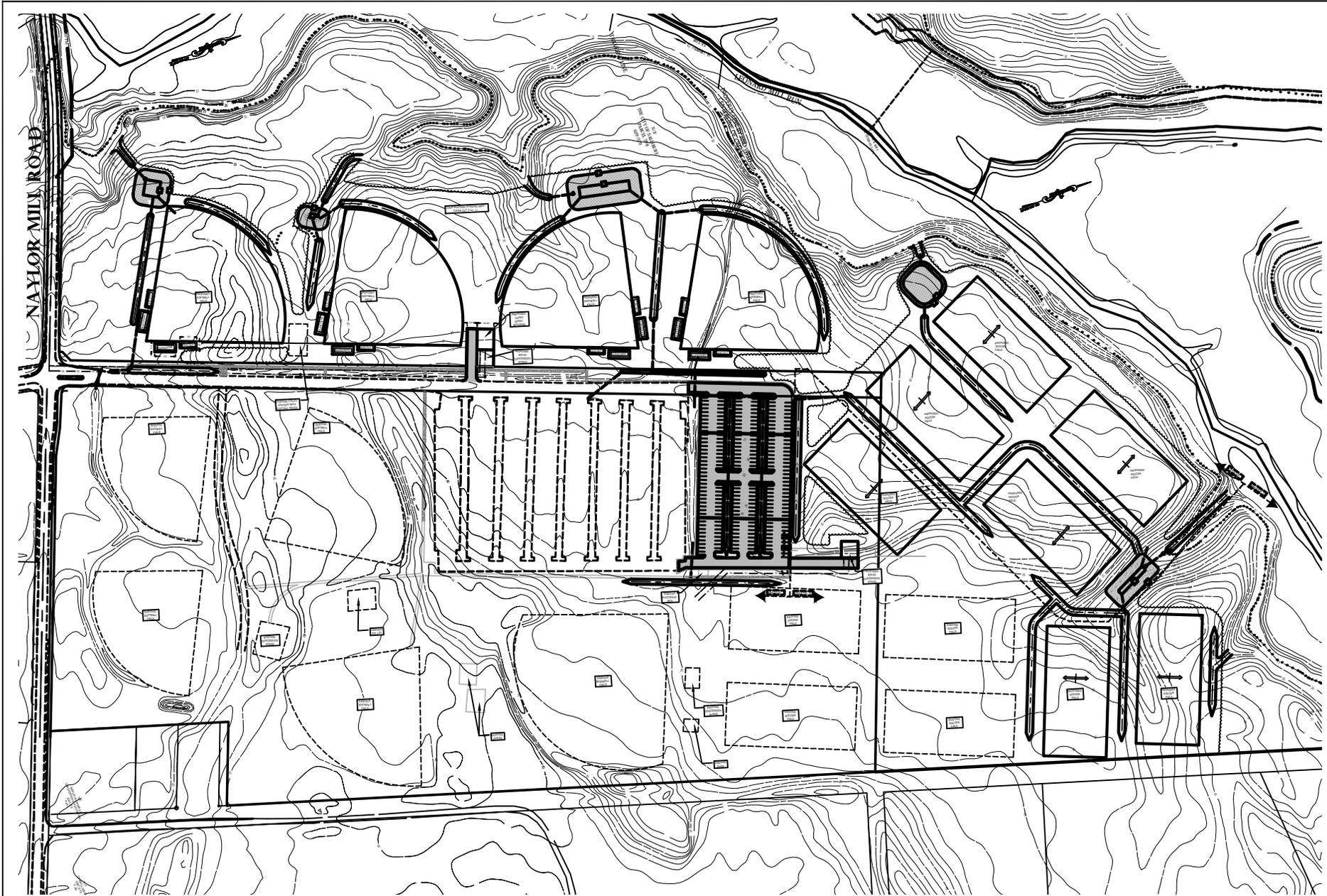
ENVIRONMENTAL REVIEW  
 FOR ANCONDO COUNTY  
 WISCONSIN COUNTY, NEARLEIGH

DATE: 10/15/2024  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: 2024-0002

**PARKER**  
 ASSOCIATES

**PLAN APPROVED**  
 WISCONSIN COUNTY DEPARTMENT OF PUBLIC WORKS

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



NAYLOR MILLS ROAD

SHEET 1

CONCEPT SITE PLAN  
 HENRY S. PARKER ATHLETIC COMPLEX  
 NAYLOR MILLS ROAD  
 FOR WICOMICO COUNTY  
 WICOMICO COUNTY, MARYLAND  
 DATE: 08/15/13  
 SCALE: 1" = 100'



PLAN APPROVED  
 WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**CITY OF SALISBURY, MARYLAND**

**SPECIAL MEETING**

**SEPTEMBER 2, 2014**

**PUBLIC OFFICIALS PRESENT**

*Council President Jacob R. Day  
Councilwoman Eugenie P. Shields*

*Council Vice President Laura Mitchell  
Councilman John “Jack” R. Heath*

**PUBLIC OFFICIALS NOT PRESENT**

*Mayor James P. Ireton, Jr.  
Councilman Timothy K. Spies*

**IN ATTENDANCE**

*City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, and interested citizens, and members of the press*

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*The City Council convened in a Special Meeting in Council Chambers on September 2, 2014 at 4:06 p.m. Council President Jacob R. Day called the meeting to order and announced that the Special Meeting had been called so that new Councilman John “Jack” R. Heath could be administered the Oath of Office by Mark Bowen, Clerk of the Court Circuit Court, Wicomico County, Maryland.*

**ADMINISTRATION OF OATH OF OFFICE**

*Mr. Bowen administered the Oath of Office (copy attached to these minutes) to Mr. Heath.*

**ADJOURNMENT**

*President Day reported that Mr. Heath was officially sworn into office on Friday, August 29, 2014 to satisfy the City Charter’s requirement that the Oath of Office be administered within five (5) days of the appointment. Mr. Day adjourned the Special Meeting at 4:10 p.m., at which time Council moved to Conference Room #306 to convene for the regularly scheduled Work Session.*

\_\_\_\_\_  
*City Clerk*

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*Council President*

\_\_\_\_\_  
September 2, 2014 Special Meeting

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **REGULAR MEETING**

**SEPTEMBER 8, 2014**

4  
5 **PUBLIC OFFICIALS PRESENT**

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7 *Council President Jacob R. Day*

*Council Vice President Laura Mitchell*

8 *Mayor James Ireton, Jr.*

*Councilwoman Eugenie P. Shields*

9 *Councilman John “Jack” R. Heath*

*Councilman Timothy K. Spies*

10  
11 **IN ATTENDANCE**

12  
13 *City Clerk Kimberly R. Nichols, CMC, City Administrator M. Thomas Stevenson, City Attorney*  
14 *Mark Tilghman, and interested citizens and members of the press*

15 *\*\*\*\*\**

16  
17 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

18  
19 *The City Council met in regular session at 6:04 p.m. in Council Chambers. Council President*  
20 *Day called the meeting to order and invited Imam Ashraf Ahmed from the Delmarva Muslim*  
21 *Community to the podium to deliver the invocation. Thereafter, the Pledge of Allegiance was*  
22 *recited.*

23  
24 **PRESENTATIONS**

- 25  
26 • **Certificates of Appreciation** – *Salisbury Youth Civics Council Members and Coordinator*

27 *Mayor James Ireton, Jr. and Council President Jacob Day presented Certificates of*  
28 *Appreciation to the members of the Youth Civics Council and Coordinator Brittany Goff.*  
29 *The program, supported by AmeriCorps and ShoreCorps, began this year to engage the*  
30 *area’s young people in public service to analyze challenges in the community and to*  
31 *design solutions. The students also learned about the government in the City of Salisbury*  
32 *while presenting their proposals to Council over the past several months.*

33 *Mayor Ireton acknowledged Dr. George Whitehead as instrumental in Salisbury being*  
34 *named “All America City” and responsible for Wicomico County being named one of the*  
35 *“Top 100 Places in America to Raise a Child” over the last several years. Dr. Whitehead*  
36 *has generously served the area’s young people in the community for many years.*

37  
38 *Present to receive certificates were Brittany Goff, Isaiah Camper, Gail Rabasca, Cole*  
39 *Davis, Kieran Murphy, Aaron Davis, Stephanie Rimmer, Aubrey Davis-Lockart, Maddy*  
40 *Sherwood, Ahmed Osman and Kelly Deehan.*

41  
42 *Kambria Jones was not present, but also received a Certificate of Appreciation.*  
43

- 44 • **Community Organization Presentation** – *United Way of Lower Eastern Shore, presented*  
45 *by Executive Director Kathleen Momme*

46 *Council was joined at the podium by Kathleen Momme, Executive Director of United Way*  
47 *of the Lower Eastern Shore. Ms. Momme reported on the 70<sup>th</sup> United Way of the Lower*  
48 *Eastern Shore campaign recently held at Salisbury University. She thanked the City for*  
49 *supporting the United Way for many years through payroll deduction and stated all*  
50 *donations to the United Way of the Lower Eastern Shore stay on the Eastern Shore. They*  
51 *raised \$1.6 million last year, and are keeping that goal for this year.*

52  
53 *Council Vice President Mitchell challenged the City Council members to donate a portion*  
54 *of their paychecks to the United Way.*  
55

#### 56 **ADOPTION OF LEGISLATIVE AGENDA**

57  
58 *Mrs. Mitchell moved and Mrs. Shields seconded to approve the Legislative Agenda.*  
59

60 *Mr. Spies moved to remove Charter Amendment Resolution No. 2443 from the Legislative*  
61 *Agenda, but the motion died for lack of a second.*  
62

63 *The Legislative Agenda, as presented, was approved by a 4-1 vote in favor. Mr. Spies cast the*  
64 *“nay” vote.*  
65

#### 66 **CONSENT AGENDA** – *presented by City Clerk Kim Nichols*

67  
68 *The Consent Agenda was unanimously approved on a 5-0 vote in favor on a motion and*  
69 *seconded by Mrs. Shields and Mrs. Mitchell, respectively:*  
70

- 71 • *August 11, 2014 regular meeting minutes*
- 72 • *August 18, 2014 work session minutes*

#### 73 74 **RESOLUTIONS** – *presented by City Administrator Tom Stevenson*

- 75  
76 • **PUBLIC HEARING/Charter Amendment Resolution No. 2443** *(Election Redistricting)*  
77 *– amending the City of Salisbury Charter Sections SC1-20 (Article I Incorporation and*  
78 *General Government); SC2-2 (Article II The Council); and SC6-15 (Article VI Elections)*  
79 *for the following reasons: to create five (5) new election districts to replace the existing*  
80 *two (2) election districts; and to provide that as of the General Election of November*  
81 *2015 one (1) councilmember shall be elected from each district*

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*Mrs. Shields moved and Mrs. Mitchell seconded to approve Charter Amendment Resolution No. 2443.*

*Mr. Stevenson reviewed the Charter Amendment Resolution and Planning & Zoning Technical Services Coordinator Frank McKenzie provided detail on the five (5) districts created by the resolution.*

*President Day opened the Public Hearing at 6:54 p.m. City Clerk Nichols swore in one member of the public.*

*Public comments included the following:*

- *Thanked everyone for the amount of work they put into the redistricting*
- *By splitting the districts up into five (5) areas, people are encouraged to get involved and elect representatives who will bring the issues to the forefront*
- *The City needs more citizen involvement*
- *If representatives are elected who represent the issues important to their neighborhood, they will be supported by the citizens*

*President Day closed the Public Hearing at 7:09 p.m.*

*Charter Amendment Resolution No. 2443 passed with a 4-1 vote. Mr. Spies cast the “nay” vote.*

- **Resolution No. 2444** – *to write off certain fees and liens for a property acquired by Salisbury Fire Company #2, Incorporated for the purpose and intent to gift the property to the City of Salisbury to build a new fire station*

*Mrs. Shields moved and Mrs. Mitchell seconded to approve Resolution No. 2444.*

*One member of the public provided the following public comments pertaining to Resolution No. 2444:*

- *When a property is deeded usually the seller pays for outstanding fees*
- *Why is the City paying Delmarva Homes (6) times the appraised amount?*

*(Administration would explain to the speaker in writing)*

**ORDINANCES** – *presented by City Attorney Mark Tilghman*

- **Ordinance No. 2301** – *1<sup>st</sup> reading – to amend Section 2.32.050 by adding a Subsection D which establishes a Small Business, Veteran-Owned Small Business and Disabled-Veteran Owned*

*Small preferences in the Award of City Contracts*

*Mrs. Shields moved and Mrs. Mitchell seconded to approve Ordinance No. 2301 for first reading*

*Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to amend Ordinance No. 2301 by striking the second word, "Businesses" on Line 48 and inserting "Business."*

*Ordinance No. 2301, as amended for first reading, was unanimously approved.*

123 **ADJOURNMENT**

124

125 *There being no further comments from the public, Council President Day adjourned the*  
126 *Legislative Session at 7:30 p.m.*

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**CITY OF SALISBURY, MARYLAND**

CLOSED SESSION A  
AUGUST 25, 2014

157  
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159  
160 *TIME & PLACE:* 1:01 p.m., Government Office Building – Conference Room #300  
161 *PURPOSE:* To discuss the appointment, employment, assignment, promotion,  
162 discipline, demotion, compensation, removal, resignation, or performance  
163 evaluation of appointees, employees, or officials over whom this public  
164 body has jurisdiction; or any other personnel matter that affects one or  
165 more specific individuals in accordance with the Annotated Code of  
166 Maryland §10-508(a)(1)  
167 *VOTE TO CLOSE:* Unanimous (4-0)  
168 *PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell,  
169 Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City  
170 Clerk Kimberly R. Nichols and the following eleven (11) candidates for  
171 the City Council vacancy (interviewed separately in the following order):  
172 Tom Welsh, Muir Boda, Don Hughes, Kevin Lindsay, Sarah Halcott, Don  
173 Cathcart, Seth Mitchell, Jack Heath, Millicent Handy, Nathan Long, and  
174 Therese Hamilton  
175 *NOT PRESENT:* Mayor James Ireton, Jr.

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176  
177  
178 *The City Council convened in Open Session in Conference Room #300 of the Government Office*  
179 *Building at 1:01 p.m. to interview candidates for the vacant Council position.*

180  
181 *Mrs. Shields moved, Mrs. Mitchell seconded, and the vote was unanimous to convene in Closed*  
182 *Session to discuss the appointment, employment, assignment, promotion, discipline, demotion,*  
183 *compensation, removal, resignation, or performance evaluation of appointees, employees, or*  
184 *officials over whom this public body has jurisdiction; or any other personnel matter that affects*  
185 *one or more specific individuals in accordance with the Annotated Code of Maryland §10-*  
186 *508(a)(1).*

187  
188 *While in Closed Session, Council interviewed eleven (11) of the twelve (12) applicants and*  
189 *determined that City Clerk Nichols would attempt to contact the twelfth applicant, as he may not*  
190 *have received the message that Council was interviewing today.*

191  
192 *At the conclusion of the interviews, at 4:08 p.m., on a motion and seconded by Mrs. Shields and*  
193 *Mrs. Mitchell, respectively, and by unanimous vote in favor, President Day adjourned the Closed*  
194 *Session, returned to Open Session, provided the statement to the public, and thereafter*  
195 *adjourned the Open Session. No action was taken by Council at this time.*

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*CITY OF SALISBURY, MARYLAND*

CLOSED SESSION B  
AUGUST 25, 2014

200  
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203 *TIME & PLACE:* 7:19 p.m., Government Office Building – Room 301 Council Chambers  
204 *PURPOSE:* To discuss the appointment, employment, assignment, promotion,  
205 discipline, demotion, compensation, removal, resignation, or performance  
206 evaluation of appointees, employees, or officials over whom this public  
207 body has jurisdiction; or any other personnel matter that affects one or  
208 more specific individuals in accordance with the Annotated Code of  
209 Maryland §10-508(a)(1)  
210 *VOTE TO CLOSE:* Unanimous (4-0)  
211 *PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell,  
212 Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City  
213 Clerk Kimberly R. Nichols, Chad Pavlekovich (left at 7:37 p.m.)  
214 *NOT PRESENT:* Mayor James Ireton, Jr.  
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216  
217 *At 6:00 p.m., the City Council convened in Legislative Session in Council Chambers, Room #301*  
218 *of the Government Office Building. Council President Day adjourned the Legislative Session at*  
219 *6:40 p.m. and announced the Closed Session was scheduled 7:15 p.m. later that evening.*  
220

221 *At 7:19 p.m. Council reconvened in Open Session. Mrs. Mitchell moved, Mrs. Shields seconded,*  
222 *and the vote was unanimous to convene in Closed Session to discuss the appointment,*  
223 *employment, assignment, promotion, discipline, demotion, compensation, removal, resignation,*  
224 *or performance evaluation of appointees, employees, or officials over whom this public body has*  
225 *jurisdiction; or any other personnel matter that affects one or more specific individuals in*  
226 *accordance with the Annotated Code of Maryland §10-508(a)(1).*  
227

228 *Council interviewed the final candidate for the vacant Council position, and dismissed him at*  
229 *7:37 p.m. After deliberation, Council unanimously agreed upon a process for Wednesday's*  
230 *Special Meeting.*  
231

232 *On a motion and seconded by Mrs. Mitchell and Mrs. Shields, respectively, and by unanimous*  
233 *vote in favor, President Day adjourned the Closed Session at 8:33 p.m.*  
234

235 *Council reconvened in Open Session, President Day provided the statement to the public, and*  
236 *then adjourned the Open Session at 8:34 p.m.*  
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CITY OF SALISBURY, MARYLAND

CLOSED SESSION  
SEPTEMBER 2, 2014

243  
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245  
246 *TIME & PLACE:* 6:11 p.m., Government Office Building – Conference Room #306  
247 *PURPOSE:* To consult with staff, consultants, or other individuals about pending or  
248 potential litigation in accordance with the Annotated Code of Maryland  
249 §10-508(a)(8)  
250 *VOTE TO CLOSE:* Unanimous (5-0)  
251 *PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell,  
252 Councilwoman Eugenie P. Shields, Councilman John “Jack” R. Heath,  
253 Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, City  
254 Administrator Tom Stevenson, City Attorney Mark Tilghman  
255 *NOT PRESENT:* Mayor James Ireton, Jr.  
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257  
258 *The City Council convened in Work Session in Conference Room #306 at 4:30 p.m. At 6:11 p.m.,*  
259 *Mrs. Shields moved, Mr. Heath seconded, and the vote was unanimous to convene in Closed*  
260 *Session to consult with staff, consultants, or other individuals about pending or potential*  
261 *litigation in accordance with the Annotated Code of Maryland §10-508(a)(8).*  
262

263 *While in Closed Session, Council received updates on several litigation cases with Mr.*  
264 *Tilghman. The Closed Session was for Council informational purposes only, with no action taken*  
265 *at this time.*  
266

267 *On a motion and seconded by Mr. Spies and Mrs. Shields, respectively, and by unanimous vote*  
268 *in favor, President Day adjourned the Closed Session at 6:33 p.m.*  
269

270 *Council reconvened in Open Session, President Day provided the statement to the public that*  
271 *Council had received an update on pending/potential litigation and other legal matters, and then*  
272 *adjourned the Open Session.*  
273

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*City Clerk*  
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*Council President*  
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INTER

OFFICE

# MEMO

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*OFFICE OF THE MAYOR*

**To:** Tom Stevenson  
**From:** Sherrell McBride  
**Subject:** Reappointment to the Ethics Commission  
**Date:** August 8, 2014

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Mayor Ireton would like to reappoint the following person to the Ethics Commission:

<u>Name</u>	<u>Term Ending</u>
Francis I. Kane	9/30/2018

Attached you will find Dr. Kane's letter of interest and the Resolution necessary for his reappointment. Please forward this information to the City Council so it may be placed on the agenda for the next meeting. Please let me know if you have any questions.

Attachments

cc: Dr. Francis Kane  
Tom Stevenson

Dear Mayor Ireton,

My term of office for the city's Ethics Commission will expire soon (September of 2014) and I would like this letter to be an indication of my willingness to serve another term.

I have served from 2006 and hesitate to accept a third term except for the fact that, as new chair of the commission, I have been working on setting up more explicit policies and procedures as required by the new state and city ethics code adopted in 2012 (2.04.030). Once those new procedures and policies have been worked out, then they can be submitted to you and the Council for approval. I believe these new regulations will provide a clearer and more explicit guidance for our commission now and in the future.

So, if it is your and the Council's wish, I would be willing to serve another term in an effort to finish the work we have begun.

Thank you for the opportunity to serve you and the citizens of Salisbury.

Sincerely,

A handwritten signature in cursive script, appearing to read "Francis I. Kane". The signature is written in dark ink and is positioned above the printed name.

Francis I. Kane

**RESOLUTION NO. 2445**

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BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is reappointed to the Ethics Commission for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Francis I. Kane	9/30/2018

The above resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of September 2014.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of September 2014.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

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INTER

OFFICE

# MEMO

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*OFFICE OF THE MAYOR*

**To:** Tom Stevenson, City Administrator  
**From:** Terence Arrington, Assistant City Administrator  
**Cc:** James Ireton, Mayor  
**Subject:** Reappointment to the City Park Committee  
**Date:** September 3, 2014

---

Mayor Ireton would like to reappoint the following person to the City Park Committee with a term ending as follows:

<u>Candidate</u>	<u>Term Ending</u>
Amal Ali	10/2017

Attached you will find Ms. Ali's letter of interest and the Resolution necessary for her reappointment. Please forward this information to the City Council so it may be placed on the agenda for the next City Council meeting. Please let me know if you have any questions.

Attachments: Resolution for appointment  
Letter of interest



GEOGRAPHY AND GEOSCIENCES

1101 Camden Ave

Salisbury, Maryland 21801

(410) 543-6456

FAX (410) 548-4506

Office of the Mayor,  
125 North Division Street,  
Salisbury, MD 21801

August 28, 2014

Dear Mayor Ireton,

I am writing this letter to express my interest in serving the City Park Committee (CPC) for a new term. I have been a member of the CPC since 2008, and would like to continue my service in order to participate in projects that can help improve the park. Also, committee activities fit well with my teaching and research interests.

My academic and professional qualifications enable me to contribute significantly to the City Park Committee. I have a Ph.D. in Urban and Regional Planning, and I am an Associate Professor in the Department of Geography and Geosciences at Salisbury University. I have taught courses in Environmental Planning, Smart Growth, and Urban Planning. My research addresses smart growth and environmental and land use interactions.

Please consider my request for reappointment to the CPC. If you need more information, please e-mail me at ([akali@salisbury.edu](mailto:akali@salisbury.edu)) or call me at (410) 543-6457.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads 'Amal K. Ali'.

Amal K. Ali, Ph.D.  
Associate Professor,  
Environmental/Land Use Planning Track

## AMAL K. ALI

### CONTACT INFORMATION:

Department of Geography & Geosciences, Salisbury University,  
1101 Camden Avenue, Salisbury, Maryland 21801.  
E-mail: [akali@salisbury.edu](mailto:akali@salisbury.edu) Phone: (410) 543-6457. Fax: (410) 548-4506.

### EDUCATION:

Ph.D. in Urban and Regional Planning (2002), Florida State University, U.S.A.  
M.S. in Urban and Regional Planning (1995), Cairo University, Egypt.  
B.S. in Urban and Regional Planning (1988), Cairo University, Egypt.

### MAJOR RESEARCH AREAS OF INTEREST:

Land use policies and smart growth including impacts of growth management policies; effectiveness in land use policies; and institutional capacity building among others.

### CURRENT POSITION (August 2010-Present):

*Associate Professor*, Department of Geography & Geosciences, Salisbury University, Maryland.

### PREVIOUS POSITIONS HELD:

August 2006-July 2010: *Assistant Professor*, Department of Geography & Geosciences, Salisbury University, Maryland, U.S.A.

July 2005-July 2006: *Assistant Professor*, Department of Geography, Brock University, Canada.

August 2004-June 2005: *Visiting Assistant Professor*, Department of Urban Affairs and Geography, Wright State University, U.S.A.

February-June 2004: *Visiting Assistant Professor*, Planning Program, Department of Architecture and Design, Faculty of Engineering and Architecture, American University of Beirut, Lebanon.

May-December 2003: *Visiting/Adjunct Assistant Professor*, Department of Urban and Regional Planning, Florida State University, U.S.A.

August 2002-July 2003: *Coordinator of Academic Programs*, Office for Distributed and Distance Learning, Florida State University, U.S.A.

August 1999-2002: *Graduate Teaching and Research Assistant*, Department of Urban and Regional Planning, Florida State University, U.S.A.

August 1998-April 1999: *Instructor*, Modern Language, Florida State University, U.S.A.

August 1996-July 1999: *World Bank Scholarship* to pursue graduate studies in the U.S.A.

October 1991-June 1996: *Engineer*, Ministry of Industry, Cairo, Egypt.

November 1988-October 1991: *Engineer*, SPECO Construction Company, Cairo, Egypt.

## **SELECTED PUBLICATIONS:**

### Books & Book Chapters

Zeigler, Donald J.; Stewart, Dona J.; and **Ali, Amal K.** 2012. "Cities of the Greater Middle East." In Stanley D. Brunn, Donald J. Zeigler, Maureen Hays-Mitchell, Maureen Hays-Mitchell (Eds.), *"Cities of the World: World Regional Urban Development,"* Fifth Edition. Lanham (MD): Rowman and Littlefield Publishers, Inc.

**Ali, Amal K.** 2011. "Understanding Decentralization: Local Power over Decision-Making for Comprehensive Planning." Saarbrücken: LAP LAMBERT Academic Publishing GmbH & Co. KG.

### Articles

**Ali, Amal K.** 2014. Explaining Smart Growth Applications: Lessons Learned from the US Capital Region, *Urban Studies*, 51 (1): 116 - 135.

**Ali, Amal K.** 2008. Greenbelts to Contain Urban Growth in Ontario, Canada: Promises and Prospects. *Journal of Planning Practice and Research (JPPR)* 23 (4): 533-548.

**Ali, Amal K.** 2007. Understanding Local Planning Agency Power in Florida. *Journal of Architectural and Planning Research (JAPR)* 24 (4): 325-337.

**Ali, Amal K.** and Petra L. Doan. 2006. A Survey of Undergraduate Course Syllabi & A Hybrid Course on Global Urban Topics. *Journal of Planning Education and Research (JPER)* 26 (2): 222-236.

**Ali, Amal K.** 2005. Using the Delphi Technique to Search for Empirical Measures of Local Planning Agency Power. *The Qualitative Report (TQR)* 10 (4): 718-744.

### **Manuscript Review:**

- Reviewed manuscripts for:
  - The Journal of Urban Studies.
  - The Journal of Geography.
  - Journal of Planning Education and Research.
  - National Conference for Undergraduate Research (NCUR), Proceedings 2011.
- Member of the Editorial Board of the book, *Online Research Methods in Urban and Planning Studies: Design and Outcomes*, Carols D. Silva (Ed.), Idea Group.

### **SELECTED CONFERENCE PRESENTATIONS:**

Ali, Amal K. March 2014. "Attitudes toward Smart Growth in Small Communities." The Urban Affairs Association (UAA), San Antonio.

Ali, Amal K. June 2013. "Elected Officials' Perceptions of Smart Growth Policies in the US Eastern States." *The European Urban Research Association (EURA) Conference, Enschede, The Netherlands.*

Ali, Amal K. April 2012. "Why Did Maryland's Priority Funding Area Policy Fail to Contain Urban Growth?" The Urban Affairs Association (UAA), Pittsburgh.

Ali, Amal K. October 2011. "Local Determinants of Smart Growth Applications: Evidence from Maryland," Association of Collegiate Schools of Planning (ACSP), Salt Lake, Utah.

- Ali, Amal K. March 2011. *“Toward Sustainability---Maryland's New Smart Growth Visions: Promises and Challenges”* The Urban Affairs Association (UAA), New Orleans, U.S.A.
- Ali, Amal K. October 2010. *“Are Statewide Smart Growth Initiatives Necessary to Make Local Land Use Planning Smart?”* Association of Collegiate Schools of Planning (ACSP), Minneapolis, Minnesota, U.S.A.
- Ali, Amal K. March 2010. *“Managing Urban Growth in the Washington Region.”* The Urban Affairs Association (UAA), Honolulu, U.S.A.
- Ali, Amal K. October 2009. *“Smart Growth Practices in the Capital Region, Maryland.”* Association of Collegiate Schools of Planning (ACSP), Crystal City, Virginia, U.S.A.
- Ali, Amal K. March 2009. *“Explaining Urban Sprawl in a Smart Growth State: the Case Study of Maryland.”* The Urban Affairs Association (UAA), Chicago, U.S.A.
- Ali, Amal K. November 2008. *“Applications of State Smart Growth Policies at the Local Level.”* The Association of Public Policy Analysis and Management (APPAM), Los Angeles, U.S.A.
- Ali, Amal K. April 2008. *“10 years of Smart Growth: Did Maryland's Smart Growth Change Urban Development Patterns?”* The Urban Affairs Association (UAA), Baltimore, U.S.A.
- Ali, Amal K. July 2007. *“Greenbelts to Control Urban Sprawl in Ontario, Canada.”* Association of European Schools of Planning (AESOP), Naples, Italy.

#### **SELECTED SERVICES:**

- **Committee Membership:**

- Scholarship Committee, Geography Department, Salisbury University (starting Fall 2014).
- Curriculum Committee, Geography Department, Salisbury University (2013- present).
- Tenure & Promotion Committee, Geography Department, Salisbury University. (2010-present).
- Salisbury University Information Technology Committee (2009-2011).
- Salisbury University Academic Assessment Committee (2008-2011).
- Salisbury University International Program Committee (2007-2011).
- Henson School Recruitment, Retention & Multi Ethnic/Cultural Concerns (2008).
- Henson School One Year Scholarship Committee (2007).
  
- The City Park Committee, Salisbury (October 2008-present).
- The Wicomico County TDR subcommittee (summer 2007).
  
- Founder and Advisor, Smart Growth Club (2010-present).
- Organizer, “Smart Growth Day,” 2010.
- Internship Coordinator, Geography Department, Salisbury University (2006-2012).

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**RESOLUTION NO. 2446**

BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that the following individual is reappointed to the City Park Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Dr. Amal K. Ali, Ph.D.	10/2017

The above resolution was introduced, read, and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of September 2014.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of September 2014.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

# City of Salisbury



JAMES IRETON JR.  
MAYOR  
TOM STEVENSON  
CITY ADMINISTRATOR



Maryland  
699 W. SALISBURY PARKWAY  
SALISBURY, MD 21801  
TEL: 410-548-3165



BARBARA DUNCAN  
CHIEF OF POLICE

September 4, 2014

TO: Tom Stevenson  
FROM: Major David Meienschein  
SUBJECT: Resolution – Acceptance of Grant Funds for Latent Fingerprint Analysis

Attached, please find a Resolution to accept \$33,000.00 from The Governor's Office of Crime Control & Prevention, GOCCP to be used for the analysis of latent fingerprints. These funds may be used for current unsent or backlogged latent fingerprints that have previously been sent to the Maryland State Police Lab.

The Maryland State Police currently maintains an extensive backlog of latent fingerprints from various agencies. In many cases court cases have been adjudicated before the fingerprints are analyzed. The primary issue is an overwhelming caseload and understaffing.

In recognizing this problem the Maryland State Police have contracted with Ron Smith & Associates to assist with clearing out this backlog. The award from GOCCP will pay for the analysis of the fingerprints only and is specific to this vender. Ron Smith & Associates is located in Collinsville, MS. Although the fingerprint analysis may be accomplished at Ron Smith & Associates business location however, they must transport the latent fingerprints to the Maryland State Police Lab in Pikeville, Md.

SPD is requesting that \$8,000.00 be set aside to cover the cost of transporting SPD latent prints to the Maryland State Police lab. At times when a shared travel cost with other agencies is appropriate we will explore those options.

It should be noted that expeditious analysis of latent fingerprints can be critical in the identification and prosecution in criminal cases.

Unless you, or the Mayor, have further questions, please forward this Resolution to the City Council.

A handwritten signature in black ink, appearing to read "David Meienschein".

Major David Meienschein  
Administrative Commander

Attachment

1 RESOLUTION NO. 2447

2  
3 A RESOLUTION OF THE CITY OF SALISBURY ACCEPTING STATE GRANT FUNDS  
4 THROUGH THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION  
5 ENTITLED “LATENT FINGERPRING EXAM.”  
6

7 WHEREAS, The City of Salisbury accepts funds from GOCCP in the amount of \$33,000.00  
8 (thirty-three thousand dollars) to pay for latent fingerprint exams conducted by Ron Smith &  
9 Associates; and  
10

11 WHEREAS, Ron Smith & Associates has contracted with the Maryland State Police Crime  
12 Lab to assist in analyzing current and backlogged latent fingerprint evidence; and  
13

14 WHEREAS, the Salisbury Police Department has current and backlogged latent fingerprint  
15 evidence pending analysis at the Maryland State Police Lab; and  
16

17 WHEREAS, the awarded dollars would be utilized solely for the processing of the Salisbury  
18 Police Department’s current and backlogged latent Fingerprint evidence sent directly to Ron Smith &  
19 Associates or located at the Maryland State Police Lab; and  
20

21 WHEREAS, the Salisbury Police Department has the need to expedite current and  
22 backlogged latent fingerprint evidence for the purposes of criminal case investigation, and  
23 prosecution.  
24

25 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
26 SALISBURY, MARYLAND that the awarded State Grant funds in the amount of \$33,000.00 (thirty  
27 three thousand dollars) are accepted and shall be utilized by the Salisbury Police Department.  
28

29 THIS RESOLUTION was duly passed at a meeting of the Council of the City of Salisbury  
30 held on \_\_\_\_\_, 2014 and is to become effective immediately upon adoption.  
31

32 ATTEST:

33  
34 \_\_\_\_\_  
35 Kimberly R. Nichols  
36 City Clerk  
37

34 \_\_\_\_\_  
35 Jacob R. Day, President  
36 Salisbury City Council  
37

38 APPROVED BY ME THIS:

39  
40 \_\_\_\_\_ day of \_\_\_\_\_, 2014  
41  
42

43 \_\_\_\_\_  
44 James Ireton, Jr., Mayor

# City of Salisbury



**MARYLAND**



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## **Council Agenda – Award of Bids**

**September 22, 2014**

- |  |                |
|--|----------------|
| 1. Award of Bid – Contract 104-15<br>Northside & Southside Pumping Station Upgrades  | \$3,691,188.00 |
| 2. Award of Bid – Contract A-03-15<br>Miscellaneous Chemicals  | \$ 730,620.34  |
| 3. Award of Bid – RFP 01-15<br>Engineering Construction Services for Northside & Southside<br>Pumping Station Improvements | \$ 240,900.00  |
| 4. Declaration of Surplus<br>Salisbury WWTP - Incubators   | \$ 0.00        |

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
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SERVICES

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## Council Agenda

September 22, 2014

TO: Mayor and City Council

SUBJECT: Award of Bid  
Contract 104-15  
Northside & Southside Pumping Station Upgrades

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Public Works Department to solicit bids for Contract 104-15 Northside & Southside Pump Station Upgrades. The project will furnish all labor, materials, and equipment necessary for the Northside and Southside Pumping Station Upgrades as indicated on the Contract Drawings and Specifications in the bid document. This contract encompasses civil, structural, mechanical, and electrical modifications both inside and outside the pumping stations.

The Procurement Department followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website, eMaryland Marketplace. A total of three (3) vendors submitted a bid by the due date and time of Tuesday, August 26, 2014 at 2:30 p.m.

Vendor	Schedule A – Base Bid	Schedule B – Allowances	Total Bid (A + B)
Bearing Construction, Inc.	\$3,650,000	\$481,565	\$4,131,565
JJIG, Inc.	\$4,213,817	\$583,000	\$4,796,817
W.M. Schlosser Company, Inc.	\$4,166,000	\$804,525	\$4,970,525

All bids came in higher than the engineer's estimate of \$3,340,200 and thus the scope of work will be reduced so as come into alignment with the available budget and not sacrifice necessary work. There are additional details in the department memo that speak to the nature of the reductions. After the necessary adjustments are made to the scope of work, "Schedule A – Base Bid" will be awarded at \$3,495,863, and "Schedule B – Allowances" will be awarded at \$195,325, for a grand total of \$3,691,188.

The vendor that submitted the lowest responsive and responsible bid was Bearing Construction. Brown and Caldwell, an engineering consulting firm, worked in conjunction with the Salisbury Public Works department to review in detail the bid package submitted by Bearing Construction. Reference checks yielded positive results, and as such it has been recommended that the bid be awarded to Bearing Construction.

There are sufficient funds to cover this purchase in account 30200-513026-55511 Water & Sewer Construction.

The Procurement Department requests Council's approval to award Contract 104-15 Northside and Southside Pumping Station Upgrades to Bearing Construction, Inc., in the amount of \$3,691,188.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Miller". The signature is written in black ink and is positioned above the printed name.

Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking

# City of Salisbury



**MARYLAND**



JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

**To:** Jennifer Miller, Assistant Director of Internal Services – Procurement & Parking  
**From:** Michael Moulds, Director of Public Works  
**Date:** September 3, 2014  
**Re:** Contract 104-15 Northside & Southside Pumping Station Upgrades

Please process the Award of Bids for the Northside & Southside Pumping Station Upgrades. The upgrades were identified in the Wastewater Treatment Plant Corrective Action Plan which was developed by Brown and Caldwell in June 2010. The Northside and Southside Pumping Stations are the two primary pumping stations that transmit flow directly to the WWTP. The stations are the most critical in the City. The upgrades include adding low flow pumps, dimminutors, odor control systems and bypass piping connections at each station. Public Works would like to have the improvements to these stations completed before the WWTP Upgrade begins next summer.

Bids were opened on Tuesday, August 26, 2014 at 2:30 p.m. Bids were received from three contractors. The attached bid tabulation offers a breakdown of the bids provided from each contractor. A summary of the bids is as follows:

General Contractor	Schedule A Base Bid	Schedule B Unit Price Items	Total Bid (Schedules A + B)
Bearing Construction, Inc.	\$ 3,650,000.00	\$ 481,565.00	\$ 4,131,565.00
JJID, Inc.	\$ 4,213,817.00	\$ 583,000.00	\$ 4,796,817.00
W. M. Schlosser Company, Inc.	\$ 4,166,000.00	\$ 804,525.00	\$ 4,970,525.00

The Engineer's Estimate for the Total Bid was \$3,340,200. Since the bids were higher than the estimate, the scope will be reduced to fit within the available budget. The unit price items in Schedule B primarily consist of concrete rehabilitation methods for inside the pumping stations and wet wells. The concrete rehabilitation inside the wet wells will not be accepted at this time since they are believed to be in good condition. However, this work will be considered for a future change order pending the evaluation of the concrete surfaces during construction.

The prices bid also included a stipulated price of \$100,537 for a spare pump, which will be not accepted at this time and deducted from the base bid. Two additional deducts are noted in the attached letter from Brown and Caldwell dated September 2, 2014.

Brown and Caldwell and Public Works reviewed all bid packages. Bearing Construction, Inc. was the lowest, responsive, responsible bidder. Brown and Caldwell contacted references of Bearing Construction and received favorable feedback, as noted in the attached letter.

Public Works recommends Salisbury City Council award this contract to Bearing Construction, Inc. in the amount of \$3,691,188.00. Funds were provided by the FY12 General Obligation Bond and are available in account number 30200-513026-55511.



Amanda H. Pollack, P.E.  
Deputy Director



Michael S. Moulds, P.E.  
Director of Public Works

309 E. Morehead Street  
Suite 160  
Charlotte, NC 28202  
Tel: 704-358-7204  
Fax: 704-358-7205  
www.brownandcaldwell.com

September 2, 2014

**Brown** AND  
**Caldwell**

Amanda H. Pollack, P.E.  
Deputy Director  
City of Salisbury  
Department of Public Works  
125 N. Division St., Room 202  
Salisbury, MD 21801

143534

**Subject: City Contract No. 104-15, Northside and Southside Pumping Station Improvements**

Dear Ms. Pollack:

According to the bid tabulation received on August 26, 2014, Bearing Construction is the lowest bidder for the construction of the above referenced project.

We have reviewed the bid documents provided by Bearing Construction and found everything in order. We also contacted all three of their references and were informed of very positive past performance. To our knowledge, City staff has also had positive experience working with Bearing Construction in recent years. As such, we recommend awarding the contract to Bearing Construction to the amount of \$3,691,188 of which \$3,495,863 is a lump sum/base amount and \$195,325 is an allowance amount based on unit cost, requiring City's authorization and actual quantity takeoffs before proceeding with the work.

Note that, in coordination with the Contractor and City staff, value engineering was performed as detailed in the table below to reduce the overall cost of the project. This value engineering reduced the overall effort by \$440,377; from the original bid of \$4,131,565 down to a new total of \$3,691,188. The savings realized from the deductions noted do not affect critical items of the project nor reduce the quality or reliability of the project.

If you should have any additional questions, please feel free to contact me at the phone number above or by email at [ganipsitakis@brwnncald.com](mailto:ganipsitakis@brwnncald.com).

Ms. Amanda Pollack  
City of Salisbury  
September 2, 2014  
Page 2

Schedule A: Base Bid (Lump Sum)		
Original Amount A	\$	3,650,000
Deduct 1	\$	100,537 For removing the spare pumps. Spare parts shall remain.
Deduct 2	\$	53,600 For changing the primary bypass pump from diesel to electrically-driven. Electricity shall be provided by the City.
Revised Amount A	\$	3,495,863
Schedule B: Allowances (Unit Costs)		
Original Amount B	\$	481,565
Deduct 3	\$	268,600 For removing all wet well concrete rehabilitation work.
Deduct 4	\$	17,640 For removing bypass pumping observation beyond working hours, since Contractor will perform anyway at no additional cost.
Revised Amount B	\$	195,325
<b>Revised Total (A+B)</b>	<b>\$</b>	<b>3,691,188</b>

Very truly yours,

Brown and Caldwell



George Anipsitakis, PhD, PE, BCEE  
Project Manager

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
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JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## Council Agenda

September 22, 2014

TO: Mayor and City Council

SUBJECT: Award of Bid  
Contract A-03-15 Miscellaneous Chemicals

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Public Works Department to solicit bids for A-03-15 Miscellaneous Chemicals. The bid was a solicitation for a twelve (12) month supply of miscellaneous chemicals for use at both municipal water plants and the wastewater treatment plant. There were 11 different types of chemicals specified on the bid documents.

The Procurement Department followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website, eMaryland Marketplace. A total of twelve (12) vendors submitted a bid by the due date and time of Tuesday, August 5, 2014 at 3:30 p.m. No single supplier bid each of the 11 chemicals and therefore the contract will be awarded to multiple vendors.

The Zinc Polyphosphate was bid in concentrated liquid form, which is a change from the current powder form. Salisbury Public Works requested a review and evaluation of each of the four submissions of this particular chemical by the Maryland Department of the Environment (MDE), and all were approved.

All chemicals except the Ferric Chloride met the requirements of the specifications. The Ferric Chloride from Kemira Water Solutions, Inc, exceeds some of the metals concentrations limits as set forth in the specification documents; however, it is anticipated that these levels will not have a negative impact on the operation of the treatment process. PVA Technologies, the other bidder for this chemical, has similar concentration levels.

Public Works has reviewed the bids in accordance with the bid documents, reviewed specifications, and has requested contracts be awarded to the vendors that submitted the lowest responsible and responsive bids for the noted chemicals:

Chemical	Location	Vendor	Bid Price
Chlorine 1-ton containers	WWTP	Kuehne	\$20,440.00
Chlorine 150lb. containers	WTP	JCI Jones Chemical, Inc.	\$17,820.00
Sulfur Dioxide 1-ton containers	WWTP	JCI Jones Chemical, Inc.	\$39,237.50
Hydrofluorosilicic Acid	WTP	Key Chemical, Inc.	\$52,255.00
Sodium Hydroxide 25% Caustic Soda	WTP	Univar USA, Inc.	\$185,400.00
Zinc Polyphosphate	WTP	Klenzoid, Inc.	\$93,144.00
Sodium Hydroxide 25%	WWTP	Intercoastal Trading, Inc.	\$3,740.00
Sodium Hypochlorite 12%	WWTP	Intercoastal Trading, Inc.	\$46,550.00
Sodium Hypochlorite 12%	WTP	Intercoastal Trading, Inc.	\$7,350.00
Caustic Potash (KOH) 45%	WWTP	Coyne Chemical	\$2,787.84
Drinking Water Grade Hydrated Lime 50lb bags	WTP	Intercoastal Trading	\$13,496.00
Ferric Chloride 38% - 42%	WWTP	Kemira Water Solutions, Inc.	\$248,400.00
<b>TOTAL:</b>			<b>\$730,620.34</b>

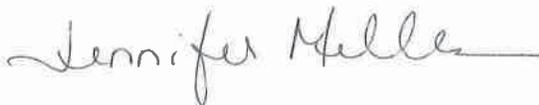
Additional details about the chemicals and the bid proposals are noted in the department memo.

There are sufficient funds to cover this purchase in the following accounts:

86083-546004 Chemicals = \$361,155.34  
 82075-546004 Chemicals = \$369,465.00  
**TOTAL \$730,620.34**

The Procurement Department requests Council’s approval to award Contract A-03-15 to the above noted vendors in the amounts detailed.

Sincerely,



Jennifer Miller  
 Assistant Director of Internal Services – Procurement and Parking

CITY OF SALISBURY  
DEPARTMENT OF PUBLIC WORKS

August 19, 2014

TO: Jennifer Miller – Director of Internal Services

---

FROM: Michael Moulds. – Director of Public Works

SUBJECT: Recommendation for Award  
Contract No A-03-15  
Miscellaneous Chemicals – Wastewater Treatment Plant (WWTP)

---

Bids were opened August 5, 2014 at 3:30 PM from 12 different vendors. Bidders responded as follows to furnish and deliver a twelve (12) month supply of miscellaneous Chemicals to the WWTP as requested per the specifications and bid documents for Contract No. A-03-15:

**1. Chlorine 1 ton containers:**

- |                              |          |
|------------------------------|----------|
| • Univar USA, Inc.           | \$28,032 |
| • JCI Jones Chemical, Inc.   | \$23,360 |
| • Intercoastal Trading, Inc. | \$42,194 |
| • Kuehne, Company            | \$20,440 |

*Salisbury Public Works*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$20,440 to ***Kuehne Company***, for furnishing, delivery and pick up of Chlorine 1 ton containers to the Salisbury WWTP at 1142 Marine Road, Salisbury, Maryland.

The bid amount of \$20,440 is the lowest of all bids submitted for supplying Chlorine 1 ton cylinders and represents a fair market value to provide the City with Chlorine. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were complete with regards to signing and dating each page of the bid form package and completed affidavits.

Upon review, evaluation, and comparison of the bids by *Salisbury Public Works*, it was found that ***Kuehne Company*** met all of the requirements of the specifications with no exceptions. Therefore, it is recommended that this portion of ***Contract No. A-03-15*** be awarded to ***Kuehne Company in*** the amount of \$20,440 for Chlorine 1 ton containers meeting this portion of the requirements of the contract specifications.

**2. Sulfur Dioxide 1 ton containers:**

- Univar USA, Inc. \$40,150
- JCI Jones Chemical, Inc. \$39,237.50
- Intercoastal Trading, Inc. \$69,350

*Salisbury Public Works*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$39,237.50 to **JCI Jones Chemical Inc.** for furnishing and delivering Sulfur Dioxide in one ton containers to the WWTP.

The bid amount from **JCI Jones Chemical, Inc.** of \$39,237.50 is the lowest bid and given the bidding environment, this cost represents a fair market value for this chemical. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were checked with regard to signing /dating each page of the bid form package and complete affidavits.

Upon review, evaluation and comparison of the bids by Salisbury Public Works, it was found that JCI Jones Inc. met all of the requirements of the specifications with no exceptions.

In light of the aforementioned, the \$39,237.50 is justified, for which no exceptions were listed by the vendor, to provide the required chemical. Therefore, it is recommended that this portion of **Contract No. A-03-15** be awarded to **JCI Jones, Inc.** for the amount of \$39,237.50 for **Sulfur Dioxide** 1 ton containers meeting the requirements of this portion of the contract.

**3. Sodium Hypochlorite 12%**

- Intercoastal Trading \$46,550
- Coyne Chemical \$53,561

*Salisbury Public Work*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$46,550, (@ \$2.45 per gallon for **19,000 gallons**), to **Intercoastal Trading, Inc** for furnishing and delivering 19,000 gallons of Sodium Hypochlorite, (12%), to the WWTP on Marine Road and South Side Pumping Station located on Ridge Road.

The vendor, **Intercoastal Trading, Inc.**, was the low bid submitted for this chemical and given the bidding environment, this cost represents a fair market value for the chemical. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were complete with regard to signing and dating each page of the bid form package and completed affidavits.

Upon review, evaluation and comparison of the bids by *Salisbury Public Works*, it has been determined that *Intercoastal Trading, Inc.* met all of the requirements of the specifications with no exceptions.

In light of the aforementioned, the \$46,550, (at \$2.45 per gallon), is justified for which no exceptions were listed by the vendor to provide the required chemical. Therefore, it is recommended that this portion of Contract No. A-03-15 be awarded to *Intercoastal Trading Inc.* in the amount of \$46,550 for Sodium Hypochlorite (12%) meeting the requirements of this portion of the contract specifications.

**4. Ferric Chloride 38% - 42%**

- Kemira Water Solutions, Inc                   \$248,400
- PVS Technologies Inc.                         \$308,400

*Salisbury Public Works*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$248,400 to *Kemira Water Solutions, Inc.* for furnishing and delivering Ferric Chloride to the WWTP.

The bid amount, \$248,400 is the lowest bid and represents a fair market value for the chemical. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were complete with regard to signing/dating each page of the bid form package, and completed affidavits.

Upon review, evaluation and comparison of the bids by *Salisbury Public Works*, it was found that *Kemira Water Solutions, Inc.* met all of the requirements of the specifications with exceptions for some of the metals concentrations which exceeded the specified limits as spelled out in the bid documents. Upon further review however, these exceedances do not appear to be of a magnitude that would cause issues for our treatment process. The other vendor for ferric chloride, *PVS Technologies*, has similar exceedances.

In light of the aforementioned, the bid from Kemira Water Solutions, Inc. is justified and it is recommended that this portion of *Contract A-03-15* be awarded to *Kemira Water Solutions, Inc.* for \$248,400 for Ferric Chloride 38% - 42% meeting the requirements of this portion of the contract specifications.

**5. Caustic Potash (KOH) 45%**

- Intercoastal Trading   \$3,300.00
- Coyne Chemical         \$2,787.84

*Salisbury Public Works*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$2,787.84 to *Coyne Chemical* for furnishing and delivering Caustic Potash to the WWTP.

The bid amount, \$2,787.84 is the lowest bid and represents a fair market value for the chemical. All bid packages have been reviewed for their completeness and checked for math errors and irregularities. All bids were complete with regard to signing/dating each page of the bid form package, and completed affidavits.

Upon review, evaluation and comparison of the bids by *Salisbury Public Works*, it was found that *Coyne Chemical, Inc.* met all of the requirements of the specifications.

In light of the aforementioned, the bid from Coyne Chemical, Inc. is justified and it is recommended that this portion of *Contract A-03-15* be awarded to *Coyne Chemical, Inc.* for \$2,787.84 for Caustic Potash 45% meeting the requirements of this portion of the contract specifications.

**WWTP Total Contract No. A-03-15 Bid Award Tabulation:**

<u>Chemical</u>	<u>Vendor</u>	<u>Cost \$</u>
Chlorine 1 ton containers	Kuehne	\$20,440
Sulfur Dioxide 1 ton containers	Jones	\$39,237.50
Sodium Hypochlorite 12%	Intercoastal	\$46,550
Ferric Chloride 38% - 42%	Kemira Water Solutions Inc.	\$248,400
Caustic Potash 45%	Coyne Chemical	\$2,787.84
	<b>Total</b>	<b>\$357,415.34</b>

No additional funds appropriation is required for this purchase, since funds are available with the WWTP budget.

Funds are available to cover the cost of the above chemicals from Account No. 86083-54-60-04.

  
Michael Moulds, P.E. Director  
Public Works Department

**CITY OF SALISBURY  
DEPARTMENT OF PUBLIC WORKS**

September 3, 2014

**TO:** Jennifer Miller – Director of Internal Service

**FROM:** Michael Moulds, P.E. – Director of Public Works

**SUBJECT:** Recommendation for Award  
Contract No. A-03-15  
Miscellaneous Chemicals – Water Treatment Plant (WTP)

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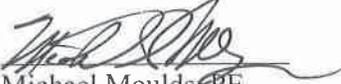
Bids were opened August 5, 2014 at 2:30 PM for Contract number A-03-15 “Miscellaneous Chemicals” from twelve vendors. Bidders responded as follows to furnish and deliver a twelve (12) month supply of Miscellaneous Chemicals. The Salisbury Public Works Department has reviewed the bids in accordance with the contract documents, reviewed references and the bid tabulation sheet and has chosen to award the contract in parts to the low bid vendor as detailed below.

1. Zinc Polyphosphate:

- |                            |            |                              |
|----------------------------|------------|------------------------------|
| • Klenzoid, Inc.           | \$ .72 /lb | 129366 lb x .72 = \$93,144   |
| • George S. Coyne Chemical | \$.97 /lb  | 129366 lb x .97 = \$125,485  |
| • Shannon Chemical         | \$1.17/lb  | 129366 lb x 1.17 = \$151,358 |
| • F2 Industries            | \$1.50/lb  | 129366 lb x 1.50 = \$194,049 |

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$93,144.00 to the low bid, Klenzoid, Inc. for furnishing and delivering Liquid Zinc Polyphosphate to the WTP. Bids for liquid zinc polyphosphate were reviewed and evaluated by Maryland Department of the Environment. MDE approved all four vendors. It was determined that all bidders liquid product were equal and The City of Salisbury could choose any of the four qualified vendors. The City has decided to go with the low bid vendor.

Funds are available to cover the cost of the above chemicals from Account No. 82075-546004.

  
Michael Moulds, PE  
Director of Public Works

**CITY OF SALISBURY  
DEPARTMENT OF PUBLIC WORKS**

August 25, 2014

**TO:** Jennifer Miller – Director of Internal Service  
**FROM:** Michael Moulds, P.E. – Director of Public Works  
**SUBJECT:** Recommendation for Award  
Contract No. A-03-15  
Miscellaneous Chemicals – Water Treatment Plant (WTP)

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Bids were opened August 5, 2014 at 2:30 PM for Contract number A-03-15 “Miscellaneous Chemicals” from twelve vendors. Bidders responded as follows to furnish and deliver a twelve (12) month supply of Miscellaneous Chemicals. The Salisbury Public Works Department has reviewed the bids in accordance with the contract documents, reviewed references and the bid tabulation sheet and has chosen to award the contract in parts to various vendors as detailed below.

1. Chlorine 150 lb containers:

- JCI Jones Chemical Inc.   \$.66 /lb    27000 lb x .66 = \$17,820.00
- Intercoastal Trading, Inc.   \$.91 /lb    27000 lb x .91 = \$24,570.00
- Univar USA, Inc.           \$.95 /lb    27000 lb x .95 = \$25,650.00
- Coyne Chemical Co., Inc.   \$3.23/lb    27000 lb x 3.23 = \$87,210.00

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$17,820.00 to the low bid, JCI Jones Chemical, Inc. for furnishing and delivering Chlorine 150 lb containers to the WTP.

2. Sodium Hydroxide 25%:

- Univar USA, Inc.           \$618.00/dry ton x 300/dry ton = \$185,400
- Kuehne Company           \$625.00/dry ton x 300/dry ton = \$187,500
- Intercoastal Trading, Inc.   \$672.00/dry ton x 300/dry ton = \$201,600

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$185,400 to Univar USA, Inc. for furnishing and delivering Sodium Hydroxide 25% to the WTP. Funds of \$109,236.00 are currently available on an FY13 purchase order to another vendor. We are changing vendors due to low bid price. Upon award of contract the old purchase order will be cancelled and the funds will be allocated to a purchase order with the new vendor. The remainder of the funds are available in the FY15 budget account # 82075-546004.

3. Sodium Hypochlorite 12%

- Intercoastal Trading, Inc.   \$2.45/gal x 3000/gal = \$7,350
- George S. Coyne Chemical   \$2.82/gal x 3000/gal = \$8,460

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$7350, to Intercoastal Trading, Inc for

furnishing and delivering Sodium Hypochlorite 12% to the WTP (Wor Wic Water Tower and Perdue Booster Station).

4. Drinking Water Grade Hydrated Lime 50 lb bags:

- Intercoastal Trading, Inc.                      \$ .2760/lb x 48,900/lb = \$13,496
- Coyne Chemical Co., Inc.                      \$ .3454/lb x 48,900/lb = \$16,890

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$13,496, to Intercoastal Trading Inc. for furnishing and delivering Drinking Water Grade Hydrated Lime in 50 lb bags to the WTP.

5. Hydrofluosilicic Acid: (bulk)

- Key Chemical, Inc.                                      \$497.67 x 105 tons = \$52,255
- Thatcher Company of New York                      \$740.00 x 105 tons = \$77,700
- George S. Coyne Chemical                              \$748.28 x 105 tons = \$78,569
- Intercoastal Trading, Inc.                              \$760.00 x 105 tons = \$79,800

Salisbury Public Works, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$52,255 to Key Chemical, Inc. for furnishing and delivering Hydrofluorosilicic Acid to the WTP.

The bid amount, \$497.67 per ton is the lowest bid meeting all of the contract requirements. Funds of \$52,255 are currently available on an FY12 purchase order to another vendor. Upon award of contract, the old purchase order will be cancelled and the funds will be allocated to a purchase order with the new vendor.

WTP Total Contract No. A-3-15 Bid award tabulation:

Chemical	Vendor	Cost \$
• Chlorine 150 lb containers	JCI Jones Chemical	17,820
• Sodium Hydroxide 25%	Univar USA, Inc.	185,400
• Sodium Hypochlorite 12%	Intercoastal Trading, Inc.	7,350
• Drinking Water Grade Lime 50# bags	Intercoastal Trading, Inc.	13,496
• Hydrofluorosilicic Acid	Key Chemical	52,255
		276,321

Funds are available to cover the cost of the above chemicals from Account No. 82075-546004 and on previous purchase orders that will be cancelled and re-allocated to the new vendors.

  
 Michael Moulds, PE  
 Director of Public Works

CITY OF SALISBURY  
DEPARTMENT OF PUBLIC WORKS

September 9, 2014

---

TO: Jennifer Miller – Assistant Director of Internal Services, Procurement  
FROM: Michael Moulds. – Director of Public Works

SUBJECT: Recommendation for Award  
Contract No A-03-15  
Miscellaneous Chemicals – Wastewater Treatment Plant (WWTP)

---

Bids were opened August 5, 2014 at 3:30 PM from 12 different vendors. Bidders responded as follows to furnish and deliver a twelve (12) month supply of miscellaneous Chemicals to the WWTP as requested per the specifications and bid documents for Contract No. A-03-15:

**1. Sodium Hydroxide 25%**

*Salisbury Public Works*, upon review and evaluation of the bids submitted, recommends this portion of the contract be awarded in the amount of \$3,740 to *Intercoastal Trading* for furnishing and delivering Sodium Hydroxide to the WWTP.

The bid amount \$3,740 was the only bid received on this chemical and represents a fair market value for the chemical. All bid packages were complete with regard to signing / dating each page of the bid form package and completed affidavits.

Upon review, evaluation and comparison of the bids by Salisbury Public Works, it was found that *Intercoastal Trading* met all of the requirements of the specifications.

In light of the aforementioned, the bid from *Intercoastal Trading* is justified and it is recommended that this portion of Contract A-03-15 be awarded to *Intercoastal Trading* for \$3,740 for Sodium Hydroxide 25% meeting the requirements for this portion of the contract specifications.

No additional funds appropriation is required for this purchase, since funds are available with the WWTP budget. Funds are available to cover the cost of the above chemicals from Account No. 86083-546004.

  
Michael Moulds, P.E. Director  
Public Works Department

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## Council Agenda

September 22, 2014

TO: Mayor and City Council

SUBJECT: Award of Bid  
RFP 01-15 Engineering Construction Services for  
Northside & Southside Pumping Station Improvements

The City of Salisbury Internal Services Department, Procurement Division, received a request from the Public Works Department to solicit bids for RFP 01-15 Engineering Construction Services for Northside & Southside Pump Station Improvements. The project includes construction administration and inspection services for a project which will add pumps, dimminutors, odor control systems, and piping modifications at the two primary pumping stations that transmit flow to the Salisbury Wastewater Treatment Plant.

The Procurement Department followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website, eMaryland Marketplace. A total of six (6) vendors submitted a bid by the due date and time of Tuesday, August 5, 2014 at 2:30 p.m. A three-person evaluation committee of Salisbury Public Works employees reviewed the vendor proposals and ranked each proposer on a scale of zero (unacceptable) to four (superior) according to the evaluation criteria established in the RFP:

Weighting Factor	Criterion
30%	Expertise, experience, and qualifications of the Vendor, its personnel and proposed subcontractors as related to the Scope of Services, and understanding of the Scope of Services.
30%	Price and billable rates.
20%	Experience working with municipal governments and municipal projects with emphasis on projects with the City and Wicomico County or similar type municipalities and performance on all projects within the last three years.
20%	Geographic location of the Vendor relative to the location of the City and the Vendor's ability to respond to routine everyday type requests.

Vendor	Construction Administration Services	Inspection Services	Total	Hourly Inspection Rate (Normal/Overtime)	Composite Score	Rank
Whitman, Requardt & Associates, Inc.	\$52,500.00	\$160,160.00	\$212,660.00	\$77.00 / \$95.00	3.68	1
GHD, Inc.	\$54,735.00	\$188,775.00	\$243,510.00	\$90.00 / \$90.00	3.25	2
EA Engineering	\$56,704.00	\$139,672.00	\$196,376.00	\$69.84 / \$69.84	3.13	3
Hazen and Sawyer	\$46,916.32	\$164,318.34	\$211,234.66	\$88.27 / \$107.88	3.00	4
George, Miles & Buhr	\$89,000.00	\$149,000.00	\$238,000.00	\$75.00 / \$75.00	2.85	5
URS Corporation	\$72,800.00	\$182,100.00	\$254,900.00	\$72.00 / \$108.00	2.63	6

Whitman, Requardt & Associates, Inc was determined by the evaluation committee to have presented the best proposal due to their clear understanding of the work required and past experience with similar projects. In addition to the lump sum bid price of \$212,660, Public Works will include 320 hours of additional inspection time on the purchase order to cover unanticipated events, for an award total of \$240,900. There are sufficient funds to cover this purchase in account 30200-513020-55512 Water & Sewer Engineering/Architectural.

The Procurement Department requests Council's approval to award RFP 01-15 to Whitman, Requardt & Associates in the amount of \$240,900.

Sincerely,



Jennifer Miller

Assistant Director of Internal Services – Procurement and Parking

# City of Salisbury



MARYLAND



JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

To: Jennifer Miller, Assistant Director of Internal Services – Procurement & Parking  
From: Michael Moulds, Director of Public Works  
Date: August 29, 2014  
Re: RFP 01-15 Northside & Southside Pump Station Improvements Construction Services

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Salisbury Public Works recently advertised a Request for Proposals for Engineering Construction Services for the Northside & Southside Pump Station Improvements. The improvements were identified in the Wastewater Treatment Plant Corrective Action Plan which was developed by Brown and Caldwell. The design of the improvements was performed by Brown and Caldwell, who will assume the role of the Engineer of Record. Brown and Caldwell has a limited scope during construction including reviewing all technical submittals, responding to Requests for Information, reviewing change orders and providing the Engineer of Record certification that the work was generally completed in accordance with the design.

The Construction Services RFP is to provide an Engineer to act as the Owner's representative and coordinate Construction Administration Services with the Owner, the Engineer of Record, and the Contractor. Additionally, the Engineer will provide a full time Inspector at the site. The Construction Services scope includes chairing the pre-construction meeting and monthly progress meetings and issuing minutes, reviewing the schedule, reviewing and responding to Requests for Information, proposed change orders and work change directives, reviewing monthly partial payment applications, reviewing and acting on submittals and testing, developing a punch list and preparing recommendations of Substantial Completion and Final Acceptance.

Six firms submitted proposals to RFP 01-15 8-14 Northside & Southside Pump Station Improvements Construction Services on August 5, 2014 at 2:30 p.m.: EA Engineering, GHD, Inc., George, Miles & Buhr, Hazen and Sawyer, URS Corporation, and Whitman, Requardt & Associates, Inc.

Each evaluator on the selection committee ranked the six respondents based upon the evaluation criteria established in the RFP. The criteria and weighting factor is shown below:

- 30% Expertise, experience, and qualifications of the Vendor, its personnel and proposed subcontractors as related to the Scope of Services, and understanding of the Scope of Services.
- 30% Price and billable rates.

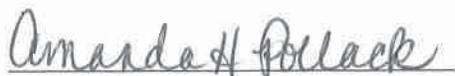
- 20% Experience working with municipal governments and municipal projects with emphasis on projects with the City and Wicomico County or similar type municipalities and performance on all projects within the last three years.
- 20% Geographic location of the Vendor relative to the location of the City and the Vendor's ability to respond to routine everyday type requests.

The rating scale is from zero to four with zero being unacceptable and four being superior. After completing a detailed independent review, the selection committee then met to compare individual rankings and to develop a composite ranking of each firm. The proposed contract costs and the composite rankings are provided below:

Consultant	Construction Administration Services	Inspection Services	Total Construction Services	Inspection Hourly Rate (Normal Hours / Overtime Hours)	Composite Score	Ranking
Whitman, Requardt & Associates, Inc.	\$52,500.00	\$160,160.00	\$212,660.00	\$77.00 / \$95.00	3.68	1
GHD, Inc.	\$54,735.00	\$188,775.00	\$243,510.00	\$90.00 / \$90.00	3.25	2
EA Engineering	\$56,704.00	\$139,672.00	\$196,376.00	\$69.84 / \$69.84	3.13	3
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George, Miles & Buhr	\$89,000.00	\$149,000.00	\$238,000.00	\$75.00 / \$75.00	2.85	5
URS Corporation	\$72,800.00	\$182,100.00	\$254,900.00	\$72.00 / \$108.00	2.63	6

The selection committee believes that Whitman, Requardt & Associates, Inc. presented the best team to successfully complete this project due to their clear understanding of the scope of work and successful completion of similar projects for the City of Salisbury.

Please issue a Purchase Order to Whitman, Requardt & Associates, Inc. in the amount of \$240,900 for the scope of work specified in RFP 01-15. In addition to the Construction Services lump sum price of \$212,660, the Purchase Order will include 120 hours of additional inspection at normal hourly rates at \$77.00/hour and 200 hours of overtime inspection rates at \$95.00/hour. The additional inspection will be authorized by Public Works in advance of use and will only be used for unforeseen circumstances. Funds are available in the account 30200-513020-55512.

  
 Amanda H. Pollack, P.E.  
 Deputy Director

  
 Michael S. Moulds, P.E.  
 Director of Public Works

# City of Salisbury



**MARYLAND**



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES  
PROCUREMENT DIVISION

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
ACTING CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

**September 22, 2014**

TO: Mayor and City Council

RE: Declaration of Surplus –Incubators  
Salisbury WWTP

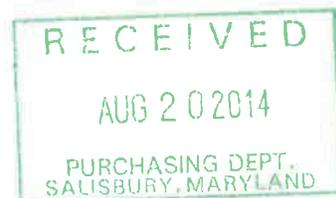
The City of Salisbury Internal Services Department – Procurement Division received a request from the Salisbury Waste Water Treatment Plant to declare as surplus two incubators. The incubators were purchased in 1970 and 1990, and due to their age and condition are not sufficient to meet lab needs. The units would be taken to a metal recycler for disposal.

The Procurement Division requests Council's approval to declare these item "surplus" and to allow the Public Works Divisions to proceed with proper disposal of the units.

Sincerely,

Jennifer Miller  
Asst. Director of Internal Services - Procurement and Parking

# MEMO:



To: Jennifer Miller

Date: August 15, 2014

From: Al Porianda, Salisbury WWTP

Re: Asset Disposal (Lab)

Hello Jennifer:

Please see attached two Asset Control Forms for two old and worn out sample incubators that Barbara Hearne, (our lab supervisor), wishes to “junk.”

These two incubators are non-functional and parts are probably impossible to find since both units are over 30 years old with one approximately 40 years old.

Please see attached note from Mike Moulds indicating his agreement for our request to “junk” these units.

Please let me know if you need any more information.

Thanks,

A handwritten signature in blue ink, appearing to read "Al Porianda".

Al Porianda  
Superintendent  
Salisbury WWTP

CITY OF SALISBURY

PART I  
ASSET CONTROL FORM

Incubator  
(high temp)

Department WWTP

ID Tag Number Assigned: 00335

Make: Precision Scientific Purchased Date: approx: 1970

Model: Helco Incubator Original Cost: \_\_\_\_\_

Serial Number: \_\_\_\_\_ Est. useful Life: 15yrs. - 20yrs.

Description (brief):

Incubator high temp

\*\*\*\*\*

\*\*\*\*\*PART II

DISPOSAL

When item needs to be disposed, return this form to PROCUREMENT DIVISION after completion of the following:

Please declare this item surplus because:

Rusted inside and out, this equipment is no longer used for any testing purposes

RECOMMEND item to be . . . (check one)

- SOLD
- JUNKED
- Lost/Stolen
- TRADED-IN

X DATE: 7/23/14

X Signature Barbara Neave  
X Title: Lab Director

AP 7-25-14

\*\*\*\*\*

COUNCIL declared this item SURPLUS on \_\_\_\_\_  
Item has been:

- SOLD
- JUNKED
- Lost/Stolen
- TRADED-IN

DATE: \_\_\_\_\_

Signature: \_\_\_\_\_  
Asst. Dir. Internal Services-Procurement Division

Copy to FINANCE \_\_\_\_\_

Date

CITY OF SALISBURY

Incubator  
(Low temp)

PART I  
ASSET CONTROL FORM

Department WWTP

ID Tag Number Assigned: 00331

Make: Precision Scientific Purchased Date: approx: 1990

Model: Low Temp Incubator 815 Original Cost: \_\_\_\_\_

Serial Number: \_\_\_\_\_ Est. useful Life: 15-20 yrs.

Description (brief):

Incubator used for BOD samples

\*\*\*\*\*

\*\*\*\*\*PART II  
DISPOSAL

When item needs to be disposed, return this form to PROCUREMENT DIVISION after completion of the following:

Please declare this item surplus because:

run hot fan is noisy ; taken out of use over 5 yrs ago

RECOMMEND item to be . . . (check one)

- SOLD
- JUNKED
- Lost/Stolen
- TRADED-IN

DATE: 7-25-14

Signature Shubana Meane  
Title: Lab Director

AP 7-25-14

\*\*\*\*\*

COUNCIL declared this item SURPLUS on \_\_\_\_\_

Item has been:

- SOLD
- JUNKED
- Lost/Stolen
- TRADED-IN

DATE: \_\_\_\_\_

Signature: \_\_\_\_\_  
Asst. Dir. Internal Services-Procurement Division

Copy to FINANCE \_\_\_\_\_

Date

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-334-3028  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

**To:** Tom Stevenson, City Administrator

**From:** Keith Cordrey, Director of Internal Services *KAC*

**Date:** September 16 2014

**Re:** Bond Resolution

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Attached please find a bond resolution, prepared by the City's bond counsel Lindsey Rader, Esquire, which is required to be passed in order for the City to issue and sell two separate series of general obligation bonds as follows:

1. Up to \$4,009,000 to fund the Facility Renovation -Fire Station #2 project
2. Up to \$2,800,000 to refund 2004 Bonds

The Mayor is delegated the authority to determine the final principal amount of each bond within the parameters set forth in the resolution. The bonds will be sold to an affiliate of SunTrust Bank.

We have scheduled the resolution for introduction and consideration for adoption at the September 22, 2014 Council meeting. Additional details can be found in the resolution.

Resolution No. 2448

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY AUTHORIZING THE ISSUANCE AND SALE BY CITY OF SALISBURY (THE "CITY") OF ITS GENERAL OBLIGATION BONDS AS DESCRIBED HEREIN, PURSUANT TO THE AUTHORITY OF, AS APPLICABLE, SECTIONS 19-301 TO 19-309 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, SECTION 19-207 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, SECTIONS SC7-45 AND SC7-46 OF THE CHARTER OF THE CITY OF SALISBURY, AND ORDINANCE NO. 2299 OR ORDINANCE NO. 2300, EACH PASSED BY THE COUNCIL OF THE CITY (THE "COUNCIL") ON AUGUST 25, 2014, APPROVED BY THE MAYOR OF THE CITY (THE "MAYOR") ON AUGUST 28, 2014 AND EFFECTIVE ON AUGUST 28, 2014, THE BONDS TO BE DESIGNATED "CITY OF SALISBURY PUBLIC IMPROVEMENTS BOND, SERIES 2014A" AND "CITY OF SALISBURY PUBLIC IMPROVEMENTS REFUNDING BOND, SERIES 2014B" (COLLECTIVELY, THE "2014 BONDS") AND THE PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF (I) FINANCING, REIMBURSING OR REFINANCING COSTS OF A PROJECT IDENTIFIED IN ORDINANCE NO. 2299 AS FACILITY RENOVATION – FIRE STATION #2 AND (II) PROVIDING THE FUNDS NEEDED TO CURRENTLY REFUND CERTAIN OUTSTANDING BONDS OF THE CITY IDENTIFIED HEREIN AS THE 2004 BONDS; PRESCRIBING THE FORMS AND TENOR OF THE 2014 BONDS AND THE TERMS AND CONDITIONS FOR THE ISSUANCE AND SALE THEREOF ON A NEGOTIATED BASIS WITHOUT SOLICITATION OF BIDS TO STI INSTITUTIONAL AND GOVERNMENT, INC.; PRESCRIBING THE TERMS AND CONDITIONS OF THE 2014 BONDS AND OTHER DETAILS INCIDENT TO THE ISSUANCE, SALE AND DELIVERY OF THE 2014 BONDS AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO DETERMINE THE FINAL PRINCIPAL AMOUNTS OF THE 2014 BONDS AND TO APPROVE THE AMORTIZATION SCHEDULES THEREFOR WITHIN THE LIMITATIONS SET FORTH IN THIS RESOLUTION; PROVIDING FOR THE DISBURSEMENT AND INVESTMENT OF THE PROCEEDS OF THE 2014 BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES SUFFICIENT FOR, AND PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER OF THE CITY TO, THE PROMPT PAYMENT OF PRINCIPAL AND INTEREST ON THE 2014 BONDS; PROVIDING THAT THE PRINCIPAL OF AND INTEREST ON THE 2014 BONDS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR SUCH PURPOSE; MAKING OR PROVIDING FOR CERTAIN REPRESENTATIONS, COVENANTS, DETERMINATIONS, DESIGNATIONS OR ELECTIONS RELATING TO THE TAX-EXEMPT STATUS OF THE 2014 BONDS; AUTHORIZING CERTAIN OFFICIALS TO MAKE CERTAIN DETERMINATIONS AND TAKE CERTAIN ACTIONS IN CONNECTION WITH THE REDEMPTION OR PREPAYMENT OF THE REFUNDED 2004 BONDS; MAKING CERTAIN ACKNOWLEDGMENTS AND AGREEMENTS REQUIRED BY THE PURCHASER PURSUANT TO FEDERAL SECURITIES LAWS; AND GENERALLY RELATING TO THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF AND FOR THE 2014 BONDS.

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Underlining : Indicates material added by amendment after introduction  
~~Strike through~~ : Indicates material deleted by amendment after introduction

## RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the “City”), is authorized and empowered by Sections 19-301 through 19-309 of the Local Government Article of the Annotated Code of Maryland (previously codified as Sections 31 through 37 of Article 23A 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. 2299, passed by the Council of the City (the “Council”) on August 25, 2014, approved by the Mayor of the City (the “Mayor”) on August 28, 2014 and effective on August 28, 2014 (the “2014 New Money Ordinance”), the City authorized the issuance and sale from time to time, in one or more series, of its general obligation bonds in an aggregate principal amount not to exceed Four Million Two Hundred Thousand Dollars (\$4,200,000.00) for the public purpose of financing or reimbursing costs (as defined in Section 3(b) of the 2014 New Money Ordinance, which include costs of issuance) of a project identified as “Facility Renovation – Fire Station #2” (the “New Money Project”); and

WHEREAS, pursuant to Section 19-207 of the Local Government Article of the Annotated Code of Maryland (previously codified as Section 24 of Article 31 of the Annotated Code of Maryland), as replaced, supplemented or amended (the “Refunding Act”), the City is further authorized to issue bonds for the purpose of refunding any of its bonds then outstanding for the public purpose of realizing debt service savings or debt restructuring; and

WHEREAS, pursuant to the authority of the Refunding Act, the procedures for the issuance of refunding bonds shall be the same as those applicable to the bonds being refunded, except that refunding bonds may be sold at a private sale, without soliciting bids, if the City determines in a public meeting that such procedure is in the public interest; and

WHEREAS, on April 20, 2004, the City issued and delivered its City of Salisbury Infrastructure Bonds, 2004 Series A in the form of a single installment bond in the principal amount of \$5,318,000 (the “2004 Bonds”) pursuant to the authority of the Enabling Act, the Charter, Subtitle 2 of Title 2 of Article 83B of the Annotated Code of Maryland (now codified at Subtitle 2 of Title 4 of the Housing and Community Development Article of the Annotated Code of Maryland, and as amended, the “CDA Act”), and Ordinance No. 1898, passed by the Council on February 9, 2004, approved by the Mayor on February 17, 2004 and effective on February 17, 2004 (“Ordinance No. 1898”), which specified that the proceeds of the 2004 Bonds would be applied for the public purpose of constructing a new fire station and administrative building, constructing Isabella Street shoreline protection and purchasing a fire ladder aerial truck, and paying issuance costs, bond insurance premiums and other related costs (the “2004 Projects”); and

WHEREAS, as originally issued and delivered, principal of the 2004 Bonds is payable on May 1 in the years 2005 through 2024, inclusive, the 2004 Bonds bear interest at rates per annum

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Underlining : Indicates material added by amendment after introduction  
~~Strike through~~ : Indicates material deleted by amendment after introduction

ranging from 2.000% to 4.625%, and interest on the 2004 Bonds is payable each May 1 and November 1, commencing November 1, 2004, until maturity or prior prepayment; and

WHEREAS, the 2004 Bonds were sold to the Community Development Administration, an agency in the Division of Development Finance of the Department of Housing and Community Development, a principal department of the government of the State of Maryland (the “Administration”), in connection with the Local Government Infrastructure Financing Program of the Administration, in order to evidence a loan from the Administration to the City to finance costs of the 2004 Projects and other costs identified in Ordinance No. 1898; and

WHEREAS, the loan made by the Administration to the City with respect to the 2004 Bonds was made from the proceeds of certain revenue bonds issued by the Administration to fund such loan to the City and loans to other local government borrowers (the “CDA Bonds”); and

WHEREAS, in connection with the 2004 Bonds, the City entered into both a Repayment Agreement and a Pledge Agreement with CDA (each, as amended or modified to date, a “Repayment Agreement” or a “Pledge Agreement”); and

WHEREAS, the 2004 Bonds are subject to prepayment at the option of the City prior to maturity (following prior written notice and subject to certain other considerations specified in the related Repayment Agreement) in whole or in part, at any time on or after June 1, 2014, in an amount equal to the principal amount of the 2004 Bonds to be prepaid, together with unpaid interest accrued thereon to the date fixed for redemption of the corresponding CDA Bonds to be redeemed from such prepayment and certain other costs pursuant to the Repayment Agreement; and

WHEREAS, pursuant to Ordinance No. 2300, passed by the Council on August 25, 2014, approved by the Mayor on August 28, 2014 and effective on August 28, 2014 (the “2014 Refunding Ordinance”), the City authorized the issuance and sale from time to time, upon its full faith and credit, of one or more series of general obligation refunding bonds in an aggregate principal amount not to exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) for the public purpose of (i) refunding or advance refunding all or a portion of the then-outstanding and unpaid principal amount of the 2004 Bonds and, in connection therewith, paying all or a portion of any applicable redemption or prepayment premiums and/or interest accrued or to accrue to the dates of maturity, redemption or prepayment of such refunded 2004 Bonds, in order to realize an objective authorized by the Refunding Act, (ii) paying or reimbursing all or a portion of related costs of issuance of such refunding bonds, including, without limitation, legal and financial costs and costs of any credit enhancement, and/or (iii) to the extent determined by the Council by resolution, paying interest on such refunding bonds (collectively, the “Refunding Project”); and

WHEREAS, each of the 2014 New Money Ordinance and the 2014 Refunding Ordinance, recites the City’s expectation that any series of general obligation bonds or refunding bonds issued under authority of such Ordinance shall be sold by private sale without soliciting bids, unless the Council determines by resolution that it would be more advantageous to sell any series of the Authorized Bonds by solicitation of competitive bids at public sale; and

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WHEREAS, based on the conclusion that current market conditions warranted a sale on a negotiated basis without solicitation of bids of two separate series of bonds, each in the form of a single general obligation installment bond, under the respective authority of the 2014 New Money Ordinance and the 2014 Refunding Ordinance and certain other existing refunding bond authorizations, due to the ability to time the market, negotiate terms and thereby achieve a beneficial interest rate or rates, Davenport & Company LLC, the financial advisor to the City, with the participation of the City Administrator of the City (the “City Administrator”), the Director of Internal Services of the City (the “Director of Internal Services”) and bond counsel to the City, provided for the distribution to banking institutions and other institutional investors in the general vicinity of the City and in the Baltimore-Washington, D.C. regional area of a solicitation for indications of interest dated July 31, 2014 for the purchase of such bonds in the maximum aggregate principal amounts of up to \$7,600,000.00 for the Series 2014A Bond identified therein and up to \$4,900,000 for the Series 2014B Bond identified therein, in order to determine the potential purchasers likely to offer the most beneficial interest rates and satisfactory terms and, thereby, to obtain for the City, as nearly as possible, the best possible results for the sale of such bonds without conducting a public sale by the solicitation of competitive bids; and

WHEREAS, potential respondents were asked to submit proposals providing for (i) one bond maturing on April 1, 2029 in order to provide for (A) the financing or reimbursement of costs of the New Money Project and (B) the advance refunding of all or a portion of an outstanding bond identified in the solicitation as the 2007 Bond, and (ii) one bond maturing on April 1, 2025 in order to provide for the current refunding in whole or in part of the 2004 Bonds and an outstanding bond identified in the solicitation as the 2009 Bond; and

WHEREAS, three proposals were received in response to the solicitation for indications of interest; and

WHEREAS, subsequent to release of the solicitation, it was determined not to pursue a refunding of the 2007 Bond or the 2009 Bond at this time; and

WHEREAS, following negotiations with the three financial institutions that submitted proposals in response to the solicitation, two of the financial institutions submitted revised proposals in response to the City’s determination to pursue only the financing of the New Money Project and the refunding of the 2004 Bonds at this time; and

WHEREAS, Davenport & Company LLC, financial advisor to the City, recommends that STI Institutional & Government, Inc., an affiliate of SunTrust Bank, be selected as the purchaser of both bonds because it was the only bank that offered to finance the New Money Project, it offered attractive interest rates per annum (subject to increase as described herein), advantageous prepayment terms and other satisfactory terms; and

WHEREAS, the Council has determined that it is in the best interests of the City and its citizens to issue and sell two separate series of bonds, pursuant to the authority of the Enabling Act, the Refunding Act, Sections SC7-45 and SC7-46 of the Charter, the 2014 New Money Ordinance

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and the 2014 Refunding Ordinance, as applicable, each in the form of a single general obligation installment bond with annual serial installments in accordance with, and pursuant to, the authority contained in the Enabling Act, the Refunding Act, Sections SC7-45 and SC7-46 of the Charter, the 2014 New Money Ordinance and the 2014 Refunding Ordinance, as applicable, and upon the terms and conditions set forth in this Resolution, the proceeds of which general obligation installment bonds are to be used and applied as herein set forth; and

WHEREAS, the maximum \$6,809,000.00 aggregate principal amount of the bonds provided for herein shall not cause the City to exceed the debt limit provided for in Charter Section SC7-48, after taking into account the 2004 Bonds to be refunded.

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 or other applicable law 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 capacity under the Charter or other applicable law, (iii) to any person who serves in a "Deputy" or "Assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy or assistant in accordance with 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 code of ordinances of the City (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.

SECTION 2. BE IT FURTHER RESOLVED that:

(a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and the 2014 New Money Ordinance, the City hereby determines to borrow money and incur indebtedness for the public purpose of providing the funds needed to finance, reimburse or refinance the costs (as defined in Section 3(b) of the 2014 New Money Ordinance) of the New Money Project, excluding costs of issuance of such borrowing, which costs of issuance the City intends to pay from other available funds. Proceeds of the Series 2014A Bond identified in Section 3(a) hereof are hereby appropriated and allocated to pay the costs of the New Money Project described in this subsection (a).

(b) Pursuant to the authority of the Enabling Act, the Refunding Act, Sections SC7-45 and SC7-46 of the Charter and the 2014 Refunding Ordinance, the City hereby determines to borrow money and incur indebtedness for the public purpose of providing the funds needed to currently refund the outstanding and unpaid principal amounts of the 2004 Bonds and, in connection

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therewith, to pay any prepayment premium (including related costs required by the Repayment Agreement), and interest accrued to the date of prepayment of such refunded 2004 Bonds, for the public purpose of realizing savings in the total cost of debt service on a direct comparison or present value basis. Although the 2014 Refunding Ordinance permits the City to use proceeds of such borrowing to pay the costs of issuance thereof, the City intends to pay such costs of issuance from other available funds. Proceeds of the Series 2014B Bond identified in Section 3(b) hereof are hereby appropriated and allocated to pay the costs of the Refunding Project described in this subsection (b).

SECTION 3. BE IT FURTHER RESOLVED that:

(a) To evidence the borrowing and indebtedness authorized in Section 2(a) of this Resolution (the financing, reimbursement or refinancing of certain costs of the New Money Project), the City, acting pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter and the 2014 New Money Ordinance, hereby determines to issue and sell, upon its full faith and credit, its general obligation installment bond in the principal amount of Four Million Nine Thousand Dollars (\$4,009,000.00) or such lesser principal amount as the Mayor shall determine with the assistance of the financial advisor to the City, the City Administrator and the Director of Internal Services is necessary in order to accomplish that portion of the New Money Project for which the Series 2014A Bond (as identified below) is issued, as provided in Section 4(a) hereof. Such bond shall be designated the “City of Salisbury Public Improvements Bond, Series 2014A” (the “Series 2014A Bond”). In the event the Mayor, with the advice of the financial advisor to the City, the City Administrator and the Director of Internal Services, determines that the Series 2014A Bond should be issued in a principal amount less than Four Million Nine Thousand Dollars (\$4,009,000.00) in order to accomplish that portion of the New Money Project for which the Series 2014A Bond is issued, the Mayor, on behalf of the City, is hereby authorized and empowered to approve such lesser principal amount, such approval to be evidenced conclusively by the Mayor’s execution and delivery of the Series 2014A Bond in a lesser principal amount in accordance with Sections 6 and 8 hereof.

(b) To evidence the borrowing and indebtedness authorized in Section 2(b) of this Resolution (currently refunding the 2004 Bonds), the City, acting pursuant to the authority of the Enabling Act, the Refunding Act, Sections SC7-45 and SC7-46 of the Charter and the 2014 Refunding Ordinance, hereby determines to issue and sell, upon its full faith and credit, its general obligation installment bond in the principal amount of Two Million Seven Hundred Sixty Thousand Dollars (\$2,760,000.00) or such greater or lesser principal amount as the Mayor shall determine with the assistance of the financial advisor to the City, the City Administrator and the Director of Internal Services is necessary in order to accomplish the applicable components of the Refunding Project identified in Section 2(b) hereof, as provided in Section 4(d) hereof, and subject to the provisions of subsection (c) of this Section 3. Such bond shall be designated the “City of Salisbury Public Improvements Refunding Bond, Series 2014B” (the “Series 2014B Bond”). In the event the Mayor, with the advice of the financial advisor to the City, the City Administrator and the Director of Internal Services, determines that the Series 2014B Bond should be issued in a principal amount greater or less than Two Million Seven Hundred Sixty Thousand Dollars (\$2,760,000.00) in order to accomplish the Refunding Project, the Mayor, on behalf of the City, is hereby authorized and

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empowered to approve such greater or lesser principal amount, such approval to be evidenced conclusively by the Mayor's execution and delivery of the Series 2014B Bond in such greater or lesser principal amount in accordance with Sections 6 and 8 hereof, subject to the provisions of subsection (c) of this Section 3.

(c) Notwithstanding the foregoing provisions of subsection (b) of this Section 3, in no event shall the principal amount the Series 2014B Bond, if adjusted as contemplated as authorized by subsection (b) of this Section 3, exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000.00). The reason for adjusting the principal amount of the Series 2014B Bond is specified in Section 4(d) below.

(d) The Series 2014A Bond and the Series 2014B Bond are referred to collectively in this Resolution as the "2014 Bonds" and, individually, as a "2014 Bond".

SECTION 4. BE IT FURTHER RESOLVED that:

(a) The Series 2014A Bond shall be dated the date of its delivery and shall be issued in the form of a single, fully-registered bond, without coupons attached. The Series 2014A Bond shall mature, subject to prior prepayment as provided for in accordance with Section 5 of this Resolution, on April 1, 2029. Subject to the remaining provisions of this subsection (a), principal of the Series 2014A Bond shall be payable in fifteen (15) annual serial installments on April 1 of each year, commencing April 1, 2015 and ending on April 1, 2029, subject to prior prepayment as provided for in accordance with Section 5 of this Resolution. The Mayor, on behalf of the City, with the advice of the City Administrator, the Director of Internal Services and the financial advisor to the City, is hereby authorized and empowered to approve (i) any decrease in the principal amount of the Series 2014A Bond from Four Million Nine Thousand Dollars (\$4,009,000.00) and (ii) the amortization schedule for the Series 2014A Bond, which is expected to be structured on a roughly level debt service basis unless the Purchaser of the Series 2014A Bond identified in Section 9 hereof requires otherwise, such amortization schedule to be prepared by the financial advisor to the City or the Purchaser of the Series 2014A Bond and reflected in the executed and delivered Series 2014A Bond, and the Mayor's approval thereof to be evidenced conclusively by his execution and delivery of the Series 2014A Bond as provided for in Sections 6 and 8 hereof.

(b) The Series 2014A Bond shall bear interest from its date of delivery at the rate of two and eighty-five hundredths percent (2.85%) per annum; provided that, in the event that the Maximum Federal Corporate Tax Rate (as defined in the form of 2014 Bond attached hereto as Exhibit A) is decreased, the interest rate on the Series 2014A Bond shall be adjusted upwards in order to maintain the same after tax yield for the registered owner of the Series 2014A Bond, and provided further, that in no event shall the interest rate on the Series 2014A Bond be so adjusted upward to a rate exceeding three and twenty-nine hundredths percent (3.29%) per annum. The interest rate payable on the Series 2014A Bond shall also be subject to adjustment upwards upon a Determination of Taxability or a Non-BQ Determination, each as defined in the form of 2014 Bond attached hereto as Exhibit A and as provided in such form. The Mayor, on behalf of the City, with the advice of the City Administrator, the Director of Internal Services and bond counsel to the City, is hereby authorized and empowered to make changes to the

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corresponding provisions of this subsection (b) as currently set forth in the form of 2014 Bond attached hereto as Exhibit A in connection with the final execution and delivery of the Series 2014A Bond in accordance with Sections 6 and 8 hereof, as may be required by the Purchaser of the Series 2014A Bond in order to clarify or confirm the mechanics by which any such increase in the per annum interest rate payable on the Series 2014A Bond may occur or to correct the formula by which any such adjustment may occur, provided that, in no event shall any such adjustment upward of the interest rate payable on the Series 2014A Bond due to a decrease in the Maximum Federal Corporate Tax Rate result in an interest rate exceeding three and twenty-nine hundredths percent (3.29%) per annum, the Mayor's approval of any such changes to be evidenced conclusively by his execution and delivery of the Series 2014A Bond as provided for in Sections 6 and 8 hereof.

(c) Interest on the Series 2014A Bond shall be payable on April 1 and October 1 in each year until maturity or prior prepayment in full, commencing on April 1, 2015; provided that, the last installment of interest shall be paid on the date that principal of the Series 2014A Bond is retired or prepaid in full. The Series 2014A Bond shall bear interest from the most recent date to which interest has been paid or, if no interest has been paid, from the date of its delivery. Interest shall be computed on the basis of a 360-day year comprised of 12 30-day months. For purposes of calculating the interest due on the Series 2014A Bond, unpaid outstanding principal on any date shall be an amount equal to the original principal amount of the Series 2014A Bond, less any principal installment paid in accordance with subsection (a) above, and less any principal prepaid in accordance with Section 5 below.

(d) The Series 2014B Bond shall be dated the date of its delivery and shall be issued in the form of a single, fully-registered bond, without coupons attached. The Series 2014B Bond shall mature, subject to prior prepayment as provided for in accordance with Section 5 of this Resolution, on April 1, 2024. Subject to the remaining provisions of this subsection (d), principal of the Series 2014B Bond shall be payable in ten (10) annual serial installments on April 1 of each year, commencing on April 1, 2015 and ending on April 1, 2024, subject to prior prepayment as provided for in accordance with Section 5 of this Resolution. The Mayor, on behalf of the City, with the advice of the City Administrator, the Director of Internal Services and the financial advisor to the City, is hereby authorized and empowered to approve (i) any increase or decrease in the principal amount of the Series 2014B Bond from Two Million Seven Hundred Sixty Thousand Dollars (\$2,760,000.00), provided that, the final principal amount of the Series 2014B Bond may not exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) and (ii) the amortization schedule for the Series 2014B Bond, which is expected to be structured on a roughly level debt service basis unless the Purchaser of the Series 2014B Bond identified in Section 9 hereof requires otherwise, such amortization schedule to be prepared by the financial advisor to the City or the Purchaser of the Series 2014B Bond and reflected in the executed and delivered Series 2014B Bond, and the Mayor's approval thereof to be evidenced conclusively by his execution and delivery of the Series 2014B Bond as provided for in Sections 6 and 8 hereof. The reason for adjusting the final principal amount of the Series 2014B Bond is to cover the costs payable by the Repayment Agreement in connection with the prepayment of the 2004 Bonds.

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(e) The Series 2014B Bond shall bear interest from its date of delivery at the rate of two and fifty-three hundredths percent (2.53%) per annum; provided that, in the event that the Maximum Federal Corporate Tax Rate (as defined in the form of 2014 Bond attached hereto as Exhibit A) is decreased, the interest rate on the Series 2014B Bond shall be adjusted upwards in order to maintain the same after tax yield for the registered owner of the Series 2014B Bond, and provided further, that in no event shall the interest rate on the Series 2014B Bond be so adjusted upward to a rate exceeding three and three hundredths percent (3.03%) per annum. The interest rate payable on the Series 2014B Bond shall also be subject to adjustment upwards upon a Determination of Taxability or a Non-BQ Determination, each as defined in the form of 2014 Bond attached hereto as Exhibit A and as provided in such form. The Mayor, on behalf of the City, with the advice of the City Administrator, the Director of Internal Services and bond counsel to the City, is hereby authorized and empowered to make changes to the corresponding provisions of this subsection (e) as currently set forth in the form of 2014 Bond attached hereto as Exhibit A in connection with the final execution and delivery of the Series 2014B Bond in accordance with Sections 6 and 8 hereof, as may be required by the Purchaser of the Series 2014B Bond in order to clarify or confirm the mechanics by which any such increase in the per annum interest rate payable on the Series 2014B Bond may occur or to correct the formula by which any such adjustment may occur, provided that, in no event shall any such adjustment upward of the interest rate payable on the Series 2014B Bond due to a decrease in the Maximum Federal Corporate Tax Rate result in an interest rate exceeding three and three hundredths percent (3.03%) per annum, the Mayor's approval of any such changes to be evidenced conclusively by his execution and delivery of the Series 2014B Bond as provided for in Sections 6 and 8 hereof.

(f) Interest on the Series 2014B Bond shall be payable on April 1 and October 1 in each year until maturity or prior prepayment in full, commencing on April 1, 2015; provided that, the last installment of interest shall be paid on the date that principal of the Series 2014B Bond is retired or prepaid in full. The Series 2014B Bond shall bear interest from the most recent date to which interest has been paid or, if no interest has been paid, from the date of its delivery. Interest shall be computed on the basis of a 360-day year comprised of 12 30-day months. For purposes of calculating the interest due on the Series 2014B Bond, unpaid outstanding principal on any date shall be an amount equal to the original principal amount of the Series 2014B Bond, less any principal installment paid in accordance with subsection (d) above, and less any principal prepaid in accordance with Section 5 below.

(g) The registered owner of each 2014 Bond shall provide written notice to the Director of Internal Services of the interest and, if applicable, principal due on such 2014 Bond on each interest payment date at least fifteen (15) days prior to such interest payment date, or such fewer number of days as is acceptable to the Director of Internal Services, but failure to deliver such notice shall not affect the amount of, or the City's obligation to pay, principal or interest due on such 2014 Bond. The date and amount of each principal installment payment made by the City on a 2014 Bond shall be noted by the registered owner of such 2014 Bond on its books and records, which notation when made will be presumed correct absent manifest error. The registered owner's failure to make appropriate notation of any such principal installment payment shall not limit or otherwise affect the City's obligations hereunder.

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(h) If a principal payment date or interest payment date falls on a Saturday, Sunday or a day on which the City, banks in the State of Maryland and/or banks in the state in which the registered owner of a 2014 Bond is located are not required to be open, payment may be made on the next succeeding day that is not a Saturday, Sunday or a day on which the City, banks in the State of Maryland and/or banks in the state in which the registered owner of such 2014 Bond is located are not required to be open, and no interest shall accrue on the scheduled amount owed for the intervening period.

(i) Principal of and interest on the 2014 Bonds shall be payable in lawful money of the United States of America. The principal of each 2014 Bond, at maturity or upon prior prepayment in full, shall be payable by check or draft at the office of the Director of Internal Services in Salisbury, Maryland, unless the Director of Internal Services and the registered owner of such 2014 Bond agree on a different place or manner of payment. Principal of each 2014 Bond, prior to maturity or prior prepayment in full, and interest on such 2014 Bond will be payable by check or draft mailed to the registered owner thereof at the address designated by the registered owner in writing to the Director of Internal Services unless the Director of Internal Services and the registered owner agree on a different manner of payment; provided that, so long as the registered owner of a 2014 Bond is the Purchaser identified in Section 9 hereof (or a successor entity), such payments of principal and interest shall be made via ACH direct debit from a bank account of the City identified by the City. The Director of Internal Services, on behalf of the City, is hereby authorized and empowered to make the agreements provided for in this Section 4(i).

(j) Notwithstanding the foregoing provisions of this Section 4, upon a default by the City under a 2014 Bond, the registered owner of such 2014 Bond, to the extent permitted by applicable law and subject to applicable public policy as determined by a court of competent jurisdiction, shall be entitled to declare all outstanding principal of such 2014 Bond and accrued interest immediately due and payable. In the event acceleration is not available upon such default, the registered owner of such 2014 Bond may increase the interest rate payable on such 2014 Bond to the maximum rate allowed by applicable law.

SECTION 5. BE IT FURTHER RESOLVED that the 2014 Bonds shall each be subject to prepayment prior to maturity at the option of the City in whole or in part at any time, at a prepayment price of the par amount of the applicable 2014 Bond outstanding to be prepaid, plus accrued interest to the date fixed for prepayment, without premium or penalty. Notice of optional prepayment shall be given by the City at least fifteen (15) days prior to the date fixed for prepayment (or such fewer number of days as is acceptable to the registered owner of the applicable 2014 Bond being prepaid) by mailing or otherwise giving to such registered owner a notice fixing the prepayment date, indicating the principal amount of such 2014 Bond to be prepaid and, if such 2014 Bond is to be prepaid in part, the future installments against which such partial prepayment shall be applied. Any such notice may be conditioned upon receipt of funds sufficient to effect such prepayment.

SECTION 6. BE IT FURTHER RESOLVED that each 2014 Bond shall be executed in the name of the City and on its behalf by the Mayor. The corporate seal of the City shall be affixed

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to each 2014 Bond and attested by the signature of the City Clerk of the City (the “City Clerk”). In the event any official of the City whose signature appears on a 2014 Bond shall cease to be such official prior to the delivery of such 2014 Bond, or, in the event any such official whose signature appears on a 2014 Bond shall have become such after the date of issue thereof, such 2014 Bond shall nevertheless be a valid and binding obligation of the City in accordance with its terms.

SECTION 7. BE IT FURTHER RESOLVED that each 2014 Bond shall be transferable only upon the books kept for that purpose by the Director of Internal Services at Salisbury, Maryland, by the registered owner thereof in person or by the registered owner’s attorney duly authorized in writing, upon surrender thereof, together with (i) a written instrument of transfer in a form satisfactory to the Director of Internal Services and duly executed by the registered owner or the registered owner’s duly authorized attorney and (ii) a written covenant and agreement substantially in substance as described in Section 9(b) hereof duly executed by the transferee. Upon such transfer there shall be issued in the name of the transferee a new registered 2014 Bond of the same series in principal amount equal to the unpaid principal amount of the 2014 Bond surrendered, and with the same maturity date and installment payment dates and amounts (or then-remaining installment payment dates and amounts, as applicable) and bearing interest at the same rate.

SECTION 8. BE IT FURTHER RESOLVED that except as provided hereinafter or in a resolution or resolutions of the Council adopted prior to the issuance of the 2014 Bonds, the 2014 Bonds shall each be issued substantially in the form attached hereto as Exhibit A and incorporated by reference herein. Appropriate variations and insertions may be made by the Mayor to such form to provide dates, numbers, amounts and other terms specific to a series of the 2014 Bonds (including, without limitation, to reflect matters determined in accordance with Sections 3 and 4 hereof or to meet requirements of the Purchaser’s proposal to purchase the 2014 Bonds), and modifications not altering the substance of the applicable 2014 Bond to carry into effect the purposes of this Resolution or to comply with recommendations of legal counsel. In addition, the Mayor may make variations, insertions or deletions to such form to include provisions that are favorable to the City or to delete provisions that are less favorable to the City, as agreed upon by the Purchaser. All of the covenants contained in the form of each 2014 Bond as finally executed and delivered by the Mayor in accordance with the provisions of Section 6 hereof and this Section 8 are hereby adopted by the City as and for the form of obligation to be incurred by the City, and the covenants and conditions contained therein are hereby made binding upon the City, including the promise to pay therein contained. The execution and delivery of the 2014 Bonds by the Mayor in accordance with this Resolution shall be conclusive evidence of the approval by the Mayor of the respective forms of the 2014 Bonds and any variations, insertions, omissions, notations, legends or endorsements authorized by this Resolution. To the extent there are any inconsistencies between the provisions of the 2014 Bonds, as executed and delivered in accordance with the provisions of this Section 8, and the provisions of this Resolution, the provisions of the 2014 Bonds shall control.

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SECTION 9. BE IT FURTHER RESOLVED that:

(a) The City hereby ratifies, confirms, approves and adopts as actions of the City all actions taken by the financial advisor to the City, the City Administrator, the Director of Internal Services and bond counsel to the City, on behalf of the City, to identify the banking institution or institutional investor which offered the most beneficial interest rates for the 2014 Bonds and satisfactory prepayment and other terms, including, without limitation, the preparation, execution, delivery and circulation of the solicitation for indications of interest dated July 31, 2014 and further communications and negotiations with respondents to the solicitation. The Council hereby determines that it shall be in the best interests of the City to sell the 2014 Bonds by private (negotiated) sale without solicitation of competitive bids to STI Institutional and Government, Inc. (by whatever legal name known or specified by such entity, the “Purchaser”), which submitted the most advantageous proposal to the City for the purchase of the 2014 Bonds, which sale on a negotiated basis is hereby deemed by the City to be in its best interest and in the interest of its citizens due, in part, to the benefit of attractive interest rates, attractive prepayment terms and satisfactory other terms. Therefore, and pursuant to the authority of the Enabling Act, the Refunding Act, Sections SC7-45 and SC7-46 of the Charter, the 2014 New Money Ordinance and the 2014 Refunding Ordinance, as applicable, each of the 2014 Bonds shall be sold by private (negotiated) sale without solicitation of competitive bids to the Purchaser for a price of par, with no payment of accrued interest.

(b) Each 2014 Bond shall be sold for investment purposes only and not for resale to the general public. Accordingly, as a condition to delivery of each 2014 Bond and prior to the issuance of such 2014 Bond, the Purchaser shall furnish to the City a certificate acceptable to bond counsel to the City generally to the effect that (i) the Purchaser has such knowledge and experience in financial and business matters, including purchase and ownership of municipal tax-exempt obligations, that it is capable of evaluating the risks and merits of the investment represented by the purchase of such 2014 Bond; (ii) the Purchaser has made its own independent and satisfactory inquiry of the financial condition of the City, including inquiry into financial statements and other information relating to the financial condition of the City to which a reasonable investor would attach significance in making investment decisions, and of any other matters deemed to be relevant to a reasonably informed decision to purchase such 2014 Bond; (iii) the Purchaser has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the City and such 2014 Bond, all so that as a reasonable investor the Purchaser has been able to make a reasonably informed decision to purchase such 2014 Bond; (iv) the Purchaser is purchasing such 2014 Bond for investment purposes only (and not as an “underwriter” or “Participating Underwriter” as defined in Securities and Exchange Commission Rule 15c2-12, as replaced, supplemented or amended) and is not purchasing for more than one account or with a view to distributing such 2014 Bond; (v) if such 2014 Bond is subsequently sold, transferred or disposed of, such sale, transfer or disposition will be made only in compliance with federal and state securities laws and any other applicable laws; and (vi) the Purchaser understands and acknowledges that (A) such 2014 Bond (1) is not being registered under the Securities Act of 1933, as amended, and is not being registered or otherwise qualified for sale under the “blue sky” laws and regulations of any state, (2) will not be listed on any stock or other securities exchange, (3) will carry no rating from any rating service, and (4) will not be

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readily marketable, and (B) no disclosure document is being prepared in connection with the issuance and sale of such 2014 Bond.

SECTION 10. BE IT FURTHER RESOLVED that the 2014 Bonds shall be suitably prepared in definitive form, executed and delivered to the Purchaser on such date or dates as shall be mutually acceptable to the Director of Internal Services, the Purchaser and bond counsel to the City, contemporaneously with the receipt of the purchase price for each 2014 Bond; provided that, the 2014 Bonds shall not be delivered on a date later than September 26, 2014 without the prior written consent of the Purchaser, which consent shall be granted or withheld in the sole discretion of the Purchaser. The Mayor and/or the City Administrator, on behalf of the City, are hereby authorized and empowered to negotiate, execute and deliver any commitment letter or proposal required by the Purchaser, and the Mayor, the City Administrator, the Director of Internal Services, the City Clerk and all other appropriate officials and employees of the City are expressly authorized, empowered and directed to take any and all action necessary to complete and close the issuance, sale and delivery of the 2014 Bonds to the Purchaser, including the payment to the Purchaser of the closing fees and legal fees specified in the Purchaser's proposal, and to negotiate, execute and deliver any documents, certificates or instruments customarily delivered in connection with the issuance of obligations such as the 2014 Bonds. Each of the Mayor and the City Administrator is hereby expressly authorized, empowered and directed to negotiate, execute and deliver any documents, certificates and instruments required by the Purchaser to reflect any provisions specified by or contemplated by the Purchaser in its proposal, including, without limitation, waiver of jury trial and submission to jurisdiction and venue.

SECTION 11. BE IT FURTHER RESOLVED that the Director of Internal Services or, in his absence, any other appropriate City official, is hereby designated and authorized to receive payment on behalf of the City of the proceeds of the sale of the 2014 Bonds contemporaneously with the delivery of the 2014 Bonds. Any portion of the purchase price for either 2014 Bond may be disbursed by the Purchaser directly to third parties, including, without limitation, the Administration or Manufacturers and Traders Trust Company, the trustee for the CDA Bonds, at the direction of the appropriate City official or officials, and any such disbursement to third parties at the direction of the appropriate City official or officials shall be deemed to constitute receipt of the proceeds of the applicable 2014 Bond for purposes of this Section 11. Any proceeds of the 2014 Bonds physically received by the City shall be deposited in the proper account or accounts of the City, may be invested within the limits prescribed by Maryland and federal law, and shall be used and applied exclusively to pay or reimburse the costs of the New Money Project or the Refunding Project, as applicable, as described herein. If the proceeds received from the sale of either 2014 Bond exceeds the amount needed for the public purposes for which such 2014 Bond is issued as hereinabove described, the amount of such unexpended excess shall be set apart in a separate fund or funds and applied to pay subsequent debt service payments on such 2014 Bond or to prepay such 2014 Bond, as applicable. Investment earnings on proceeds of each 2014 Bond, if any, held by the City may be applied to pay subsequent debt service payments on such 2014 Bond or to prepay such 2014 Bond, and investment earnings on the Series 2014A Bond may be applied to costs of the New Money Project, as applicable, unless a supplemental ordinance or resolution, as applicable, is passed by the Council to provide for the expenditure of such earnings for some other valid purpose authorized by the Enabling Act, the Refunding Act and/or the Charter, as applicable. Nothing in

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this Resolution shall be construed to authorize the expenditure of any moneys except for a proper public purpose.

SECTION 12. BE IT FURTHER RESOLVED that:

(a) The City shall levy or cause to be levied in all fiscal years in which the 2014 Bonds are outstanding, upon all real and tangible personal property within its corporate limits subject to assessment for unlimited municipal taxation, ad valorem taxes in rate and amount sufficient to provide for the prompt payment of the principal of and interest on the 2014 Bonds due in each such fiscal year. If the proceeds from the taxes so levied in any such fiscal year are inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up such deficiency.

(b) The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the prompt payment of the principal of and interest on the 2014 Bonds as and when they become due and payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of the 2014 Bonds. The City hereby covenants and agrees with the registered owners, from time to time, of the 2014 Bonds to levy and collect the taxes hereinabove described and to take any further action that lawfully may be appropriate from time to time during the period that the 2014 Bonds remain outstanding and unpaid to provide the funds necessary to pay promptly the principal thereof and the interest due thereon.

(c) Subject to the provisions of Sections 13 and 14 hereof, the foregoing provisions of this Section 12 shall not be construed so as to prohibit the City from paying the principal of and interest on any portion of the 2014 Bonds from the proceeds of the sale of any other obligations of the City or from any other funds legally available for that purpose, including (without limitation) to the extent applicable to the Series 2014B Bond, any sources of revenues from which the City has historically been paying an allocable portion of the debt service payable on the 2004 Bonds. Subject to the provisions of Sections 13 and 14 hereof, the City may apply to the payment of the principal of or interest on the 2014 Bonds any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted, paid or are otherwise available to the City for the purpose of assisting the City in accomplishing the type of project or projects which the applicable 2014 Bond is issued to finance, reimburse or refinance, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be levied may be reduced proportionately.

SECTION 13. BE IT FURTHER RESOLVED that:

(a) Any two of the Mayor, the City Administrator and the Director of Internal Services are the officials of the City responsible for the issuance of the 2014 Bonds within the meaning of Section 1.148-2(b)(2) of the U.S. Treasury Regulations (the "Treasury Regulations"). Any two of the Mayor, the City Administrator and the Director of Internal Services also shall be the officials of the City responsible for the execution and delivery (on the date of the issuance of the 2014 Bonds) of a certificate of the City (the "Section 148 Certificate") that complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable

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Treasury Regulations, and such officials are hereby authorized and directed to execute and deliver the Section 148 Certificate to counsel rendering an opinion on the validity and tax-exempt status of the 2014 Bonds on the date of issuance of the 2014 Bonds.

(b) The City shall set forth in the Section 148 Certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the 2014 Bonds or of any monies, securities or other obligations to the credit of any account of the City which may be deemed to be proceeds of the 2014 Bonds pursuant to Section 148 of the Code or the Treasury Regulations (collectively, the “2014 Bond Proceeds”). The City covenants with the registered owners of the 2014 Bonds that the facts, estimates and circumstances set forth in the Section 148 Certificate will be based on the City’s reasonable expectations on the date of issuance of the 2014 Bonds and will be, to the best of the certifying officials’ knowledge, true and correct as of that date.

(c) The City covenants with the registered owners of the 2014 Bonds that it will not make, or (to the extent that it exercises control or direction) permit to be made, any use of the 2014 Bond Proceeds that would cause the 2014 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Treasury Regulations, and that it will comply with those provisions of Section 148 of the Code and the Treasury Regulations as may be applicable to the 2014 Bonds on their date of issuance and which may subsequently lawfully be made applicable to the 2014 Bonds as long as the 2014 Bonds remain outstanding and unpaid.

(d) In connection with their execution and delivery of the Section 148 Certificate, the authorized officials identified in this Section 13 are hereby authorized and empowered, on behalf of the City, to make any designations, elections, determinations or filings on behalf of the City provided for in or permitted by the Code and the Treasury Regulations and to reflect the same in the Section 148 Certificate and/or the IRS Form 8038-G filed in connection with the issuance of the 2014 Bonds or any other documentation deemed appropriate by bond counsel to the City; provided that, only one of such identified officials must sign the IRS Form 8038-G.

(e) In the event of an increase in the per annum interest rate payable on either 2014 Bond in accordance with the provisions of Section 4 of this Resolution, the City Administrator and the Director of Internal Services shall promptly consult with nationally-recognized bond counsel to determine if such increase shall result in a reissuance of such 2014 Bond for purposes of the Code and the Treasury Regulations under then applicable law. In the event such increase is so determined to result in a reissuance of such 2014 Bond for purposes of the Code and the Treasury Regulations, in order that the tax-exempt status of interest payable on such 2014 Bond shall continue to remain excludable from gross income of the registered owner thereof for federal income tax purposes, (i) any one or more of the City officials identified in subsection (a) of this Section 13, on behalf of the City, is hereby authorized, empowered and directed to (A) negotiate, approve, execute and deliver any documents, agreements or instruments deemed necessary or desirable in connection therewith, and (B) make any determinations, designations, elections or filings provided for in the Code and the Treasury Regulations in connection therewith (including, by way of illustration and not in limitation, designating the reissued 2014 Bond as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code for the calendar year in question), and (ii) any one or more of the City officials identified in subsection (a) of this Section

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13, on behalf of the City, is hereby authorized, empowered and directed to negotiate and approve any supplement to the Section 148 Certificate executed and delivered in connection with the original issuance and delivery of such 2014 Bond or any new Section 148 Certificate determined to be necessary or desirable in connection with such reissuance. The powers delegated to the identified City officials in this subsection (e) in connection with a reissuance of either 2014 Bond upon an increase in the per annum interest rate payable on such 2014 Bond shall be broadly construed in order to ensure compliance with the provisions of the Code and the Treasury Regulations; provided that, such delegation shall not prevent the Council, at its option, by resolution, from making or otherwise providing for any necessary or desirable determinations or actions in connection with any such reissuance of such 2014 Bond.

SECTION 14. BE IT FURTHER RESOLVED that the City specifically covenants that it will comply with the provisions of the Code applicable to the 2014 Bonds, including, without limitation, compliance with provisions regarding the timing of the expenditure of the proceeds of the 2014 Bonds, the use of such proceeds and the facilities financed or refinanced with such proceeds, the restriction of investment yields, the filing of information with the Internal Revenue Service, and the rebate of certain earnings resulting from the investment of the proceeds of the 2014 Bonds or payments in lieu thereof. The City further covenants that it shall make such use of the proceeds of the 2014 Bonds, regulate the investment of the proceeds thereof and take such other and further actions as may be required to maintain the exemption from federal income taxation of interest on the 2014 Bonds. All officials, officers, employees and agents of the City are hereby authorized and directed to provide such certifications of facts and estimates regarding the amount and use of the proceeds of the 2014 Bonds as may be necessary or appropriate.

SECTION 15. BE IT FURTHER RESOLVED that the City hereby designates the 2014 Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code (relating to the exception from the disallowance of the deduction for that portion of a financial institution’s interest expense which is allocable to tax-exempt interest), and, in connection therewith, represents and certifies that (i) the 2014 Bonds are not “private activity bonds” within the meaning of Section 141 of the Code, (ii) the reasonably anticipated amount of tax-exempt obligations (excluding private activity bonds other than qualified 501(c)(3) bonds) which will be issued by the City (and all on-behalf-of issuers and subordinate entities of the City) during calendar year 2014 does not exceed Ten Million Dollars (\$10,000,000.00), and (iii) not more than Ten Million Dollars (\$10,000,000.00) of obligations issued by the City (and all on-behalf-of issuers and subordinate entities of the City) during calendar year 2014, including the 2014 Bonds, have been, or, except as permitted by Section 265(b)(3) of the Code, will be, designated as qualified tax-exempt obligations.

SECTION 16. BE IT FURTHER RESOLVED that contingent upon the issuance and delivery of the Series 2014B Bond, the City hereby elects (i) to prepay the outstanding 2004 Bonds in whole on the first available prepayment date determined in accordance with the Repayment Agreement and the requirements of the Administration. The Mayor, on behalf of the City, with the advice of the Director of Internal Services, the financial advisor to the City and bond counsel to the City, is hereby authorized and empowered to select the date for prepayment of the 2004 Bonds in whole, as applicable, based on when any notice of prepayment of such bonds may be given and

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based on any date of prepayment advised by the Administration to comply with the provisions of the Repayment Agreement and other documents pertaining to the 2004 Bonds, provided that such date results in a current refunding of the 2004 Bonds in whole for federal income tax purposes, and the giving of any notice of prepayment of the 2004 Bonds or the prepayment in whole of the 2004 Bonds shall constitute conclusive evidence of the selection by the Mayor of the date for prepayment of such 2004 Bonds. Each of the Mayor, the City Administrator and the Director of Internal Services, or such officials acting in concert, is hereby authorized and empowered, on behalf of the City, to take any and all action necessary to effect the prepayment in whole of the 2004 Bonds as contemplated by this Resolution including, without limitation, giving or causing to be given any prepayment notice in the name of the City and making arrangements for the prepayment of such refunded 2004 Bonds with the registered owners thereof or any paying agents for such refunded 2004 Bonds. Any such prepayment notice may be given conditioned upon issuance and delivery of the Series 2014B Bond. The provisions of this Section 16 shall be broadly construed in order to achieve the City's goals of achieving debt service savings and taking advantage of any safe harbors provided for in the Code and the Treasury Regulations in connection with such contemplated refunding.

SECTION 17. BE IT FURTHER RESOLVED that in connection with all aspects of the transactions contemplated hereunder, the City acknowledges and agrees that: (a) (i) the City has consulted its own legal, accounting, regulatory and tax advisors to the extent it has deemed appropriate, (ii) the City is capable of evaluating, and understands and accepts, the terms, risks and conditions of the transactions contemplated hereby, (iii) the Purchaser is not acting as a municipal advisor or financial advisor to the City and (v) the Purchaser has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934, as amended, to the City with respect to the transactions contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether the Purchaser has provided other services or is currently providing other services to the City on other matters); (b) (i) the Purchaser is and has been acting solely as a principal and, except as expressly agreed in writing by the relevant parties, has not been, is not, and will not be acting as an advisor, agent or fiduciary, for the City, or any other person and (ii) the Purchaser has no obligation to the City, with respect to the transactions contemplated hereby except those obligations expressly set forth herein and in any other related documents, certificates or agreements entered into by the City and the Purchaser in connection with the transactions contemplated by this Resolution; and (c) the Purchaser may be engaged in a broad range of transactions that involve interests that differ from those of the City, and the Purchaser has no obligation to disclose any of such interests to the City. To the fullest extent permitted by law, the City hereby waives and releases any claims that it may have against the Purchaser with respect to any breach or alleged breach of agency or fiduciary duty in connection with any aspect of any transactions contemplated hereby. The City understands that if the City would like a municipal advisor in this transaction that has legal fiduciary duties to the City, the City is free to engage a municipal advisor to serve in that capacity. The transactions contemplated hereunder are entered into pursuant to and in reliance upon the bank exemption and/or the institutional buyer exemption provided under the municipal advisor rules of the Securities and Exchange Commission, Rule 15Ba1-1 et seq, to the extent that such rules apply to the transactions contemplated hereunder.

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SECTION 18. BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption by the Council and approval by the Mayor. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, City Council President

APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014:

\_\_\_\_\_  
James Ireton, Jr., Mayor

#165182;58111.030

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EXHIBIT A

(Form of 2014 Bonds)

*[Note: appropriate insertions or deletions to this form shall be made to reflect the specific terms of each 2014 Bond, and other insertions, deletions or variations may be made in accordance with the provisions of the Resolution to which this form is attached.]*

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 IMPROVEMENTS [REFUNDING] BOND, SERIES 2014[A][B]

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Original Issue Date</u>
April 1, 20[29][24]	[2.85][2.53]% (subject to adjustment as described herein)	_____, 2014

Registered Owner:

Principal Sum: DOLLARS

IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER ALL OR ANY PORTION OF THE PRINCIPAL AMOUNT HAS BEEN PAID OR PREPAID. EACH PAYMENT OR PREPAYMENT OF A PRINCIPAL INSTALLMENT SHALL BE NOTED BY THE REGISTERED OWNER OF THIS BOND ON ITS BOOKS AND RECORDS, WHICH NOTATION WHEN MADE WILL BE PRESUMED CORRECT ABSENT MANIFEST ERROR. THE REGISTERED OWNER'S FAILURE TO MAKE APPROPRIATE NOTATION OF ANY SUCH PAYMENT OR PREPAYMENT SHALL NOT

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LIMIT OR OTHERWISE AFFECT THE OBLIGATIONS OF THE CITY HEREUNDER AND SHALL NOT AFFECT THE VALID PAYMENT AND DISCHARGE OF SUCH OBLIGATION EFFECTED BY SUCH PAYMENT OR PREPAYMENT.

City of Salisbury, a municipal corporation organized and existing under the Constitution and laws of the State of Maryland (the “City”), hereby acknowledges itself indebted for value received and promises to pay to the registered owner shown above, or registered assignee or legal representative, the Principal Sum shown above, payable in [fifteen][ten] ([15][10]) annual serial installments on April 1, commencing April 1, 2015, plus interest on the unpaid balance as set forth herein, subject to prior prepayment in whole or in part as hereinafter provided, as follows:

<u>Date</u>	<u>Principal Installment</u>	<u>Date</u>	<u>Principal Installment</u>
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This bond shall bear interest on the unpaid outstanding principal balance from the date of its delivery at the Interest Rate per annum shown above (the “Tax-Exempt Rate”), calculated on the basis of a 360-day year consisting of twelve 30-days months, except as such Tax-Exempt Rate may be adjusted as provided below, such interest to be payable semi-annually on the first day of April and October in each year, commencing April 1, 2015, to the person in whose name this bond is registered on the register maintained by the Director of Internal Services of the City (the “Director of Internal Services”) as of the close of business on the fifteenth (15<sup>th</sup>) day of the month next preceding each interest date.

The Tax-Exempt Rate will be adjusted if any of the following “Tax Events” occurs: (1) the Maximum Federal Corporate Tax Rate (as defined below) of 35% is decreased (a “Tax Rate Decrease”) , (2) a Determination of Taxability (as defined below) occurs, or (3) this bond is determined not to be a “qualified tax-exempt obligation” (a “Non-BQ Determination”) under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). In the event of a Tax Rate Decrease, the Tax-Exempt Rate shall be adjusted upwards in order to maintain the same after tax yield for the registered owner of this bond, such adjustment to occur automatically as of the effective date of each decrease in the Maximum Federal Corporate Tax Rate; provided that, in no event shall the Tax-Exempt Rate be increased to a rate exceeding [three and twenty-nine

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hundredths][three and three hundredths] percent ([3.29][3.03]%) per annum. If a Determination of Taxability occurs, the interest rate on this bond will be adjusted upwards as of the date of the Determination of Taxability to a fixed rate determined necessary by the registered owner of this bond to maintain the same after tax yield (the “Taxable Rate”) and the City will also pay to the registered owner (or any prior registered owner, if applicable) (i) an additional amount equal to the difference between (A) the amount of interest paid on this bond during the Taxable Period (as defined below) occurring prior to the Determination of Taxability and (B) the amount of interest that would have been paid on this bond during the Taxable Period occurring prior to the Determination of Taxability if this bond had borne interest at the Taxable Rate, plus (ii) an amount equal to any interest, penalties on overdue interest and addition to tax (as referred to in Subchapter A of Chapter 68 of the Code) owed by the registered owner (or prior registered owner, if applicable) as a result of the occurrence of the Determination of Taxability. In the event of a Non-BQ Determination, the interest rate on this bond will be adjusted upwards as of the date of such Non-BQ Determination to a fixed rate determined necessary by the registered owner to maintain the same after tax yield (the “Non-BQ Rate”), and any additional accrued interest due on a retroactive basis shall be paid by the City within thirty days after demand therefor by the registered owner of this bond (or any prior registered owner, if applicable).

As used in this bond, (1) “Maximum Federal Corporate Tax Rate” shall mean the maximum rate of income taxation imposed on corporations pursuant to Section 11(b) of the Code in effect from time to time (or, if as a result of a change in the Code, the rate of income taxation imposed on corporations shall not be applicable to the registered owner of this bond, the maximum statutory rate of federal income taxation which could apply to the registered owner of this bond); (2) “Determination of Taxability” shall mean a final decree of judgment of any federal court or final action of the Internal Revenue Service determining that interest paid or payable on this Bond is or was includable in the gross income of the registered owner for federal income tax purposes; provided that, no such decree, judgment or action will be considered final for this purpose unless the City has been given written notice and, if it is desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of the registered owner and until conclusion of any appellate review, if sought; and (3) “Taxable Period” shall mean the period that elapses from the date on which interest on this bond is includable in the gross income of the registered owner as a result of a Determination of Taxability.

A certificate of the registered owner of this bond claiming an increase in the interest rate under the foregoing paragraphs and setting forth any additional interest or penalties to be paid to it hereunder shall be conclusive absent manifest error.

Notwithstanding any other provisions of this bond, upon a default by the City under this bond, the registered owner of this bond, to the extent permitted by applicable law and subject to applicable public policy as determined by a court of competent jurisdiction, shall be entitled to declare all outstanding principal of this bond and accrued interest immediately due and payable. In

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the event acceleration is not available upon such default, the registered owner of this bond may increase the interest rate payable on this bond to the maximum rate allowed by applicable law.

Interest on this bond shall be payable on April 1 and October 1 in each year until maturity or prior prepayment in full, commencing on April 1, 2015. This bond shall bear interest from the most recent date to which interest has been paid or, if no interest has been paid, from the date of its delivery.

Interest shall be computed on the basis of a 360-day year comprised of 12 30-day months. For purposes of calculating the interest due on this bond, unpaid outstanding principal on any date shall be an amount equal to the original principal amount of this bond, less any principal installment paid as described above, and less any principal prepaid as described below. The registered owner of this bond shall provide written notice to the Director of Internal Services of the interest and any principal due on this bond on each interest payment date at least fifteen (15) days prior to such interest payment date, or such fewer number of days as is acceptable to the Director of Internal Services, but failure to provide such notice shall not affect the amount of, or the City's obligation to pay, principal or interest due on this bond.

Principal of and interest on this bond shall be payable in lawful money of the United States of America. The principal of this bond, at maturity or upon prior prepayment in full, shall be payable by check or draft at the office of the Director of Internal Services in Salisbury, Maryland, unless the Director of Internal Services and the registered owner agree on a different place or manner of payment. Principal of this bond, prior to maturity or prior prepayment in full, and interest on this bond will be payable by check or draft mailed to the registered owner at the address designated by the registered owner in writing to the Director of Internal Services, unless the Director of Internal Services and the registered owner hereof agree on a different manner of payment; provided that, so long as the registered owner of this bond is \_\_\_\_\_ (or any successor entity), such payments of principal and interest shall be made via ACH direct debit from a bank account of the City identified by the City, unless such registered owner agrees otherwise. If a principal payment date or interest payment date falls on a Saturday, Sunday or a day on which the City, banks in the State of Maryland and/or banks in the state in which the registered owner of this bond is located are not required to be open, payment may be made on the next succeeding day that is not a Saturday, Sunday or a day on which the City, banks in the State of Maryland and/or banks in the state in which the registered owner of this bond is located are not required to be open, and no interest shall accrue on the scheduled amount owed for the intervening period.

This bond is the duly authorized bond of the City, aggregating \$\_\_\_\_\_.00 in principal amount, dated the date of its delivery and designated "City of Salisbury Public Improvements [Refunding] Bond, Series 2014[A][B]". This bond is issued pursuant to and in full conformity with the provisions of Sections 19-301 to 19-309 of the Local Government Article of the Annotated Code of Maryland (previously codified as Sections 31 to 37, inclusive, of Article 23A of

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the Annotated Code of Maryland), as replaced, supplemented or amended, [Section 19-207 of the Local Government Article of the Annotated Code of Maryland (previously codified as Section 24 of Article 31 of the Annotated Code of Maryland), as replaced, supplemented or amended,] and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, 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. [2299][2300], which was passed by the Council on August 25, 2014, approved by the Mayor of the City (the “Mayor”) on August 28, 2014 and became effective on August 28, 2014 (the “Ordinance”), and Resolution No. \_\_\_\_\_, which was adopted by the Council on \_\_\_\_\_, 2014, approved by the Mayor on \_\_\_\_\_, 2014 and became effective on \_\_\_\_\_, 2014 (the “Resolution”).

This bond is transferable only upon the books kept for that purpose at the office of the Director of Internal Services, by the registered owner hereof in person, or by his duly authorized attorney, upon surrender hereof, together with (i) a written instrument of transfer in the form attached hereto and satisfactory to the Director of Internal Services and duly executed by the registered owner or his duly authorized attorney and (ii) a written covenant and agreement substantially in substance as described in Section 9(b) of the Resolution duly executed by the transferee.

This bond may be transferred or exchanged at the office of the Director of Internal Services of the City. Upon any such transfer or exchange, the City shall issue a new registered bond of the same series in denomination equal to the unpaid principal amount of the bond surrendered, and with the same maturity date, principal installment dates and principal installment payment amounts and bearing interest at the same rate. In each case, the Director of Internal Services 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 City 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 hereof and interest due hereon and for all other purposes.

This bond is subject to prepayment in whole or in part at any time, at the option of the City, at a prepayment price of the par amount of this bond outstanding to be prepaid, plus accrued interest to the date fixed for prepayment, without premium or penalty. Notice of optional prepayment shall be given by the City at least fifteen (15) days prior to the date fixed for prepayment (or such fewer number of days as is acceptable to the registered owner of this bond) by mailing or otherwise giving to such registered owner a notice fixing the prepayment date, indicating the principal amount of this bond to be prepaid and, if this bond is to be prepaid in part, the future installments against which such partial prepayment shall be applied. Any such notice may be conditioned upon receipt of funds sufficient to effect such prepayment.

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The full faith and credit and unlimited taxing power of City of Salisbury are hereby unconditionally and irrevocably 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 levy and collection of an annual ad valorem tax or taxes upon all the legally assessable property within the corporate limits of the City in rate and 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 signature of the Mayor and its corporate seal to be affixed hereto, attested by the manual signature of the City Clerk, all as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

(SEAL)

ATTEST:

CITY OF SALISBURY

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

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(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 firm of the New York Stock Exchange or a commercial bank or trust company.

\_\_\_\_\_  
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.

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ORDINANCE NO. 2301

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND SECTION 2.32.050 BY ADDING A SUBSECTION D WHICH ESTABLISHES A SMALL BUSINESS, VETERAN-OWNED SMALL BUSINESS AND DISABLED-VETERAN-OWNED SMALL BUSINESS PREFERENCES IN THE AWARD OF CITY CONTRACTS.

WHEREAS, the State of Maryland has enacted certain procurement preferences pursuant to the State Finance and Procurement Article, Annotated Code of Maryland and COMAR; and

WHEREAS, the City of Salisbury has concluded that it is in the best interest of city residents to permit the use of procurement preferences for certain types of businesses located in Salisbury, Maryland; and

WHEREAS, the City of Salisbury previously amended the city Charter, Section SC16-3, to allow preferences by the city in the evaluation of contracts for the construction of public works and the purchase of materials, services and supplies from businesses that qualify to receive preferences in contracts with the State of Maryland; and

WHEREAS, the City of Salisbury wishes to authorize the Director of Internal Services to begin utilizing certain procurement preferences in the competitive bidding process.

NOW, THEREFORE, BE IT ORDAINED by the City of Salisbury, Maryland that Section 2.32.050 of the City Code be amended by the addition of the following:

D. Small Business Preference Program.

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

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such. It is the responsibility of the small business and not the director of internal services, to request that its name be included on the list. The director will, however, verify whether each small business is qualified for inclusion on the list and demand whatever proof is required. If any business is found not qualified, the director of internal services will notify the business and afford it an opportunity to appeal the director's decision to the City Administrator. The decision of the City Administrator is final.

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

AND BE IT FURTHER ENACTED AND ORDAINED by the City of Salisbury, Maryland that the Ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 8 day of September 2014, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2014.

**ATTEST:**

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
James Ireton, Jr., Mayor