

ORDINANCE NO. 3692

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND ENTITLED AN ORDINANCE TO AUTHORIZE AND EMPOWER MAYOR AND CITY COUNCIL OF CUMBERLAND (THE "CITY") TO ISSUE AND SELL FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, GENERAL OBLIGATION REFUNDING BONDS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS (\$4,000,000.00) (THE "ORIGINAL REFUNDING BONDS"), THE PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF PROVIDING ALL OR A PORTION OF THE FUNDS NEEDED TO REFUND OR ADVANCE REFUND THE OUTSTANDING ENERGY PERFORMANCE CONTRACT MUNICIPAL LEASE/PURCHASE AGREEMENT DATED AS OF DECEMBER 29, 2006, BETWEEN MANUFACTURERS AND TRADERS TRUST COMPANY, AS LESSOR, AND THE CITY, AS LESSEE, BY PREPAYING IN WHOLE AS OF ANY SCHEDULED RENTAL PAYMENT DATE THE RENTAL PAYMENT DUE ON SUCH DATE TOGETHER WITH THE APPLICABLE PURCHASE PRICE PAYABLE THEREUNDER AND ANY OTHER APPLICABLE SUMS, TO PAY COSTS OF ISSUANCE AND, TO THE EXTENT PROVIDED IN A RESOLUTION OF THE MAYOR AND CITY COUNCIL, TO PAY INTEREST ON SUCH ORIGINAL REFUNDING BONDS; DETERMINING THAT THE ORIGINAL REFUNDING BONDS OF EACH SERIES SHALL BE SOLD ON A NEGOTIATED BASIS WITHOUT SOLICITATION OF BIDS UNLESS OTHERWISE DETERMINED BY THE MAYOR AND CITY COUNCIL BY

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RESOLUTION; PROVIDING FOR THE ADOPTION OF A RESOLUTION OR RESOLUTIONS OF THE MAYOR AND CITY COUNCIL TO DETERMINE, APPROVE OR PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT AND REDEMPTION OF AND FOR EACH SERIES OF THE ORIGINAL REFUNDING BONDS; AUTHORIZING THE CITY TO ISSUE AND SELL FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS (THE "SUBSEQUENT REFUNDING BONDS") IN ORDER TO REFUND OR ADVANCE REFUND IN WHOLE OR IN PART ANY OF THE ORIGINAL REFUNDING BONDS ISSUED PURSUANT TO THE AUTHORITY OF THIS ORDINANCE (INCLUDING PAYING COSTS OF ISSUANCE AND INTEREST ON SUCH SUBSEQUENT REFUNDING BONDS), PROVIDED THAT, THE AGGREGATE PRINCIPAL AMOUNT OF ANY SUCH ISSUE OF SUBSEQUENT REFUNDING BONDS SHALL NOT EXCEED ONE HUNDRED THIRTY PERCENT (130%) OF THE AGGREGATE PRINCIPAL AMOUNT OF THE ORIGINAL REFUNDING BONDS REFUNDED THEREFROM; PROVIDING THAT ANY SUCH SERIES OF SUBSEQUENT REFUNDING BONDS SHALL BE SOLD ON A NEGOTIATED BASIS WITHOUT SOLICITATION OF BIDS, UNLESS OTHERWISE DETERMINED BY THE MAYOR AND CITY COUNCIL BY RESOLUTION, AND AUTHORIZING THE COUNCIL TO DETERMINE CERTAIN MATTERS RELATING TO ANY SUCH SUBSEQUENT REFUNDING BONDS BY RESOLUTION; PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES

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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 ANY SUCH SERIES OF ORIGINAL REFUNDING BONDS OR SUBSEQUENT REFUNDING BONDS (THE "OBLIGATIONS"); PROVIDING THAT THE PRINCIPAL OF AND INTEREST ON EACH SERIES OF THE OBLIGATIONS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR SUCH PURPOSE; PROVIDING THAT ANY OF THE OBLIGATIONS AUTHORIZED HEREBY MAY BE CONSOLIDATED WITH ANY OTHER BONDS AND/OR REFUNDING BONDS AUTHORIZED BY THE CITY AND ISSUED AS A SINGLE SERIES OF BONDS AND/OR REFUNDING BONDS; AUTHORIZING AND DIRECTING APPROPRIATE OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ANY AND ALL ACTION NECESSARY TO COMPLETE AND CLOSE THE SALE AND DELIVERY OF THE OBLIGATIONS PROVIDED FOR HEREBY; PROVIDING THAT THIS TITLE SHALL BE DEEMED A FAIR SUMMARY OF THIS ORDINANCE FOR ALL PURPOSES; AND OTHERWISE GENERALLY RELATING TO THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF THE ORIGINAL REFUNDING BONDS AND SUBSEQUENT REFUNDING BONDS AUTHORIZED HEREBY.

RECITALS

1. As authorized by Section 82B of the Charter of the City of Cumberland, as published in Municipal Charters of Maryland, as replaced, supplemented or amended (the "Charter") and a Resolution adopted by the Mayor and City Council (the "Mayor and City

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Council”) of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland (the “City”), on December 12, 2006 and effective on December 12, 2006, the City, as lessee, entered into an Energy Performance Contract Municipal Lease/Purchase Agreement dated as of December 29, 2006 (the “2006 Lease Purchase Agreement”), with Manufacturers and Traders Trust Company (by whatever name currently known, “M&T Bank”), as lessor, for the public purpose of financing or reimbursing a portion of the costs of the acquisition and installation of certain equipment (the “Equipment”) designed to control the energy consumption and associated costs stemming from the daily workings of the City’s municipal buildings, facilities and systems, which Equipment is identified in or pursuant to a Performance Contract (including all Schedules thereto) dated September 28, 2006 (the “Contract”) between the City and Johnson Controls, Inc. and on Schedule A to the 2006 Lease Purchase Agreement.

2. M&T Bank caused \$3,749,401.00 to be deposited into an escrow fund to be disbursed for purposes of acquisition and installation of the Equipment pursuant to the provisions of an Escrow Agreement dated as of December 29, 2006 (the “2006 Escrow Agreement”) between M&T Bank, as escrow agent, and the City.

3. Pursuant to the 2006 Lease Purchase Agreement, M&T Bank leased the Equipment to the City for a term commencing on the date of execution and delivery of the 2006 Lease Purchase Agreement and ending on May 1, 2022, subject to earlier termination in accordance with the provisions of the 2006 Lease Purchase Agreement. In order to acquire full and unencumbered title to the Equipment, the City is obligated under the 2006 Lease Purchase Agreement to make Rental Payments to M&T Bank on each November 1 and May 1, commencing November 1, 2007 and ending May 1, 2022, which Rental Payments are denominated into principal and interest

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components and the interest component of which is calculated at a rate of 4.097% per annum. The City's obligation to make the Rental Payments is subject to appropriation of funds sufficient for such purpose in each fiscal year.

4. Sections 3.2 and 10.1 of the 2006 Lease Purchase Agreement provide that the term thereof may be terminated and M&T Bank's interest in the Equipment transferred, conveyed and assigned permanently to the City, on any Rental Payment due date, with at least thirty (30) days' prior written notice to M&T Bank, upon payment by the City of the Rental Payment due on such date and payment in full of the then-applicable Purchase Price as set forth in the Schedule of Payments to the 2006 Lease Purchase Agreement and all other sums required to be paid under the 2006 Lease Purchase Agreement.

5. The next available date for prepayment of the Rental Payments as described in Recital 4 is November 1, 2011.

6. Section 10.1 of the 2006 Lease Purchase Agreement provides that upon prepayment of the applicable Rental Payment and Purchase Price and all other amounts due and owing under the 2006 Lease Purchase Agreement, M&T Bank shall deliver to the City a confirmatory Bill of Sale transferring permanently its full remaining right, title and interest in and to the Equipment to the City free and clear of all liens and encumbrances created by or arising through M&T Bank, but without warranties and in "where is, as is" condition.

7. The City is authorized and empowered by Sections 31 to 37, inclusive, of Article 23A of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Enabling Act"), and Sections 81 and 82A of 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.

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8. Pursuant to Section 24 of Article 31 of the Annotated Code of Maryland, as replaced, supplemented or amended (the “Refunding Act”), the City is authorized to issue bonds for the purpose of refunding any of its bonds or other evidences of obligation by whatever name known or source of funds secured then outstanding for the public purpose of realizing debt service savings or debt restructuring.

9. Pursuant to the Enabling Act and the Charter the City may sell its general obligation bonds at private sale. Pursuant to the Refunding Act, refunding bonds may be sold on a negotiated basis without solicitation of bids if the City determines in a public meeting that such procedure is in the public interest.

10. The City has determined to authorize the issuance of one or more series of its general obligation refunding bonds in order to provide all or a portion of the funds needed to (i) refund or advance refund the 2006 Lease Purchase Agreement in accordance with its terms upon any available Rental Payment date by paying the Rental Payment due on such date and the corresponding Purchase Price detailed on the Schedule of Payments to the 2006 Lease Purchase Agreement and any other applicable sums, for the public purpose of (A) realizing savings in the aggregate cost of debt service on a direct comparison or present value basis, or (B) debt restructuring that in the aggregate effects such a reduction in the cost of debt service or is determined by the Mayor and City Council to be in the best interests of the City, to be consistent with the City’s long-term financial plan, and to realize a financial objective of the City, as contemplated in the Refunding Act and as to be determined by resolution of the Mayor and City Council, (ii) to pay all or a portion of the related costs of issuance of such refunding bonds, and (iii)

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to the extent determined by the Mayor and City Council by resolution, to pay interest on such refunding bonds.

11. The City has determined that, as authorized by the Refunding Act, each series of the refunding bonds applied to refund or advance refund the 2006 Lease Purchase Agreement shall be sold on a negotiated basis without solicitation of bids, unless by resolution the Mayor and City Council provides for the solicitation of competitive bids at public sale for any series of such refunding bonds.

12. Subsequent to the issuance of any refunding bonds to refund or advance refund the 2006 Lease Purchase Agreement as authorized by this Ordinance, the City may desire to refund or advance refund all or a portion of such original refunding bonds through the issuance from time to time of one or more series of its general obligation refunding bonds pursuant to the authority of the Enabling Act, the Refunding Act and the Charter.

13. The City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any original refunding bonds or subsequent refunding bonds authorized hereby.

14. As provided by Section 82A(d) of the Charter, the City shall issue any original refunding bonds or subsequent refunding bonds authorized hereby in accordance with the terms and conditions provided for in a resolution or resolutions to be adopted by the Mayor and City Council.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND:

SECTION 1. The Recitals hereto constitute an integral part of this Ordinance and are incorporated herein by reference. Capitalized terms used in the Sections of this Ordinance and not defined therein shall have the meanings given to such terms in the Recitals hereto.

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SECTION 2. Pursuant to the authority of the Enabling Act, the Refunding Act and the Charter, the City hereby determines to borrow money and incur indebtedness from time to time for the public purpose of providing all or a portion of the funds needed (i) to refund or advance refund the 2006 Lease Purchase Agreement in whole as of any applicable Rental Payment date in accordance with the provisions of Sections 3.2 and 10.1 thereof by paying the Rental Payment due on such applicable date and the corresponding Purchase Price set forth on the Schedule of Payments to the 2006 Lease Purchase Agreement and any other amounts due on such date, in order to realize an objective authorized by the Refunding Act, as determined in the Resolution (as defined in Section 6 hereof), (ii) to finance or reimburse 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 (iii) to the extent determined by the Mayor and City Council pursuant to the Resolution, paying interest on such refunding bonds (collectively, the “Refunding Project”). The total cost of the portion of the Refunding Project to be paid from proceeds of the Original Refunding Bonds identified in Section 3 hereof will not exceed Four Million Dollars (\$4,000,000.00).

SECTION 3. To evidence the borrowing and indebtedness authorized in Section 2 of this Ordinance, the City, acting pursuant to the authority of the Enabling Act, the Refunding Act and the Charter, hereby determines to issue and sell from time to time, in one or more series, upon its full faith and credit, its general obligation bonds in an aggregate principal amount not to exceed Four Million Dollars (\$4,000,000.00) (collectively, the “Original Refunding Bonds”). Any series of the Original Refunding Bonds may be issued as one or more general obligation installment bonds.

SECTION 4. Pursuant to the authority of the Enabling Act, the Refunding Act and the Charter, the City hereby determines that it is in the public interest of the City to sell each series of

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the Original Refunding Bonds on a negotiated basis without solicitation of bids due to market conditions, the ability to time the market, and the ability to negotiate flexible terms and to thereby achieve a beneficial interest rate or rates and/or restructuring terms and other beneficial terms, unless the Resolution provides for the solicitation of competitive bids at public sale for any series of the Original Refunding Bonds.

SECTION 5. The proceeds of the Original Refunding Bonds shall be used and applied by the City exclusively and solely for the public purposes described in Section 2 of this Ordinance, unless a supplemental ordinance is enacted by the Mayor and City Council to provide for the use and application of such proceeds for some other proper public purpose authorized by the Enabling Act, the Refunding Act and/or the Charter.

SECTION 6. Pursuant to the authority of Section 82A(d) of the Charter and this Ordinance, the Mayor and City Council, prior to the issuance, sale and delivery of each series of the Original Refunding Bonds, shall adopt a resolution or resolutions (in each such case and, collectively, the “Resolution”) specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, such matters, details, forms (including, without limitation, the complete forms of the Original Refunding Bonds of such series and the bond purchase agreement or any similar agreement with the purchaser or purchasers of such series of Original Refunding Bonds, if deemed necessary or desirable, or if such series of the Original Refunding Bonds are sold by solicitation of competitive bids at public sale, the form of notice of sale of such series of Original Refunding Bonds), documents or procedures as may be required by the Enabling Act, the Refunding Act, the Charter or this Ordinance or as the Mayor and City Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment

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or prepayment of or for such series of the Original Refunding Bonds. The Resolution shall set forth, determine or provide for the determination of, or approve or provide for the approval of, among other things, the designation of the Original Refunding Bonds of such series; the date of issue of the Original Refunding Bonds of such series; the denomination or denominations of the Original Refunding Bonds of such series; the aggregate principal amount of the Original Refunding Bonds of such series; the maturities of or principal installments payable on the Original Refunding Bonds of such series; the rate or rates of interest, or the method of determining the rate or rates of interest, which may be fixed or variable and may include provisions for the payment of late fees and additional interest or penalties in appropriate circumstances, payable on the Original Refunding Bonds of such series; provisions relating to the prepayment of the Original Refunding Bonds of such series; the procedure for the sale on a negotiated basis without solicitation of bids of the Original Refunding Bonds of such series, unless the Resolution shall provide for the solicitation of competitive bids at public sale of the Original Refunding Bonds of such series, in which case the Resolution shall set forth the procedures for such sale and the award of such series of the Original Refunding Bonds to the successful bidder; and all other terms and conditions pursuant to which the Original Refunding Bonds of such series will be issued, sold and delivered, including, without limitation, any determinations to be made or provided for by resolution as contemplated by Charter Section 82A(d). Among other matters, the Mayor and City Council, pursuant to the Resolution, may authorize, approve or otherwise provide for (i) the commitment of the City to pay to the purchaser or purchasers of such series of the Original Refunding Bonds (A) any commitment fee or similar fee and any other costs in connection with such purchaser's or purchasers' agreement to purchase such series of the Original Refunding Bonds and/or (B) any breakage compensation or

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other amount that may be determined to be due to such purchaser or purchasers in the event the City fails to deliver such series of the Original Refunding Bonds and, in connection therewith, to approve or provide for the approval, and the execution and delivery of, any agreement relating to such payment or payments (which such agreement may, but shall not be required to be, contained within any purchase or similar agreement for such series of the Original Refunding Bonds), (ii) the obtaining of credit enhancement for such series of the Original Refunding Bonds (and the execution and delivery of any agreements or documents relating thereto), and (iii) any other agreements necessary to enhance the marketability of or as security for such series of the Original Refunding Bonds, including (without limitation) any ratings, any official statement or similar disclosure document and any continuing disclosure undertaking required to satisfy the requirements of Securities and Exchange Commission Rule 15c2-12.

SECTION 7. Pursuant to the authority of the Refunding Act, the Enabling Act and the Charter, the City is hereby authorized and empowered to issue and sell, upon its full faith and credit, its general obligation refunding bonds in one or more series from time to time (collectively, the “Subsequent Refunding Bonds”), for the purpose of refunding or advance refunding in whole or in part any of the Original Refunding Bonds authorized hereby, including the payment of all or any portion of any prepayment premium and all or any portion of any interest accrued or to accrue to the date of prepayment, purchase or maturity of the Original Refunding Bonds to be refunded, paying or reimbursing all or any portion of costs and expenses incurred in connection with the issuance, sale and delivery of such Subsequent Refunding Bonds, and, to the extent determined by the Mayor and City Council by resolution, paying interest on such Subsequent Refunding Bonds, for the public purpose of realizing savings to the City in the

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aggregate cost of debt service on either a direct comparison or present value basis or in order to accomplish any debt restructuring that is permitted by applicable law; provided that, the aggregate principal amount of any issue of the Subsequent Refunding Bonds shall not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Original Refunding Bonds refunded therefrom. Any such series of the Subsequent Refunding Bonds may consist of one or more bonds and any such bond may be issued in installment form. Prior to the issuance, sale and delivery of any series of the Subsequent Refunding Bonds and pursuant to the authority of Section 82A(d) of the Charter, the Mayor and City Council shall adopt a resolution or resolutions authorizing such series of the Subsequent Refunding Bonds and specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, such matters, details, forms, documents or procedures as may be authorized or required by applicable law, including the purposes of the Refunding Act achieved by the issuance of such series of the Subsequent Refunding Bonds and the types of determinations described in Section 6 of this Ordinance. Unless the Mayor and City Council determines otherwise in a resolution providing for any series of the Subsequent Refunding Bonds, each series of the Subsequent Refunding Bonds shall be sold on a negotiated basis without solicitation of bids, due to the ability to time the market, negotiate flexible terms and thereby achieve a beneficial interest rate or rates and/or beneficial restructuring terms by undertaking a private (negotiated) sale.

SECTION 8. The Mayor and City Council is hereby authorized by resolution to make or provide for the making of any further determinations deemed necessary or desirable in connection with the issuance of any series of the Subsequent Refunding Bonds authorized hereby, including,

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without limitation, (i) any determination required or authorized by the Refunding Act or other law, as applicable, (ii) to commit or provide for the commitment of the City to pay to the purchaser or purchasers of such series of the Subsequent Refunding Bonds (A) any commitment fee or similar fee and any other costs in connection with such purchaser's or purchasers' agreement to purchase such series of the Subsequent Refunding Bonds and/or (B) any breakage compensation or other amount that may be determined to be due to such purchaser or purchasers in the event the City fails to deliver such series of the Subsequent Refunding Bonds and, in connection therewith, to approve or provide for the approval, and the execution and delivery of, any agreement relating to such payment or payments (which such agreement may, but shall not be required to be, contained within any purchase or similar agreement for such series of the Subsequent Refunding Bonds), (iii) the obtaining of credit enhancement for such series of the Subsequent Refunding Bonds (and the execution and delivery of any agreements or documents relating thereto), and (iv) any other agreements necessary to enhance the marketability of or as security for such series of the Subsequent Refunding Bonds, including (without limitation) any ratings, any official statement or similar disclosure document and any continuing disclosure undertaking required to satisfy the requirements of Securities and Exchange Commission Rule 15c2-12.

SECTION 9. For the purpose of paying the principal of and interest on any series of the Original Refunding Bonds or the Subsequent Refunding Bonds (in any such case, a series of the "Obligations") when due, the City shall levy or cause to be levied, for each and every fiscal year during which any series of the Obligations may be outstanding, ad valorem taxes upon all real and tangible personal property within its corporate limits subject to assessment for unlimited municipal taxation in rate and amount sufficient to provide for the prompt payment, when due, of the principal

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of and interest on such series of the Obligations 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 each series of the Obligations 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 such series of the Obligations. The City hereby covenants and agrees with the registered owners, from time to time, of each series of the Obligations to levy and collect the taxes hereinabove described and to take any further lawful action that may be lawfully appropriate from time to time during the period that such series of the Obligations remains outstanding and unpaid to provide the funds necessary to pay promptly the principal thereof and the interest due thereon.

(c) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on any series of the Obligations 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, with respect to the Original Refunding Bonds, from the proceeds of the Subsequent Refunding Bonds authorized hereby). Subject to the provisions of the Internal Revenue Code of 1986, as amended, if applicable, the City may apply to the payment of the principal of or interest on any series of the Obligations 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 such funds are granted or paid to the City or are otherwise available for the

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purpose of assisting the City in the type of project which the Obligations of such series are 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 10. By resolution the Mayor and City Council may determine that any of the Original Refunding Bonds or the Subsequent Refunding Bonds authorized hereby may be consolidated with any other bonds and/or refunding bonds authorized by the Mayor and City Council and issued as a single series of obligations.

SECTION 11. The Mayor, the City Administrator, the Treasurer, the Director of Administrative Services, the Comptroller, the City Clerk and all other appropriate officials and employees of the City are hereby authorized and directed to take any and all action necessary to complete and close the sale, issuance and delivery of any series of the Obligations and to negotiate, approve, execute and deliver all documents, certificates and instruments necessary or appropriate in connection therewith, including (without limitation), with respect to the Original Refunding Bonds, the appropriate City official or officials are hereby authorized and directed to negotiate, approve, execute and deliver any documents deemed necessary or desirable to evidence the release of the lien of the 2006 Lease Purchase Agreement, to transfer any interest of M&T Bank in the Equipment, to confirm the City's interest in the Equipment, unencumbered by any interest therein of M&T Bank, or otherwise deemed necessary or desirable to provide that M&T Bank shall no longer have any interest in the Equipment.

SECTION 12. The title of this Ordinance shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

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SECTION 13. This Ordinance shall become effective thirty (30) days after its passage pursuant to the provisions of Section 82A of the Charter, subject to the petition-to-referendum provisions of Section 82A(c) of the Charter.

MAYOR AND CITY COUNCIL OF
CUMBERLAND

(SEAL)



Brian K. Grim
Mayor

ATTEST:



Marjorie A. Eirich, City Clerk

Introduced: **May 10** , 2011

Passed: **May 24** , 2011

Effective: **June 23** , 2011

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