

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: September 12, 2023

Item Details

Presenter(s): Antwan Morrison, Director

Department(s): Finance

Requested Motion

Motion to approve a Resolution providing sell and issuance of \$3,460,000 Two-Third Public Improvement Bonds, Series 2023A and \$24,500,000 General Obligation (GO) Transportation Bonds, Series 2023B.

Approval Recommended?

Yes

Item Details

- This item requests approval of the resolution for the sale of \$24.5M voter approved General Obligation Bonds and \$3.46M Two-Thirds Bonds.
- Resolution shall:
 - Formally authorize the sale of the bonded debt;
 - Formally pledge the Town's taxing power to provide for payment of the bonds, if necessary;
 - Approve proposed form of the bonds;
 - Approve the form of the draft official statement for use in offering bonds to investors;
 - State the Town's agreement to comply with relevant provisions of federal tax law;
 - State the Town's agreement to comply with federal rules for continuing disclosure to securities markets;
 - Authorize Town staff to complete the process of issuing bonds, and approves the next steps to that end previously taken. This includes authorizing to determine the final amount of the bond issue and final principal payment schedule;
- The Town is required to obtain approval from the Local Government Commission (LGC) in order to proceed with issuance;
- The actual interest rate on bonds will be set when the LGC receives sealed bids for the bonds on October 3rd and the closing of the bonds is scheduled for October 24th and 25, 2023 for Two-Third Bond and General Obligation Bonds, respectively.

- Per general statute 159-64, bonds may be issued under a bond order at any time within seven years after the bond order takes effect. Such period may be extended prior to the expiration of such period from seven years to ten years.
- In 2015 and 2021 the voters of the Town of Apex approved the issuance of up to \$15M and \$42M, respectively, of general obligation bonds to pay capital costs of providing transportation improvements.
- For the 2015 transportation bond authorization two issuances have occurred, \$3M in 2018 and \$5M in 2021, leaving a remaining balance of \$7M. In 2022, a public hearing was held regarding the extension of these funds. The extension period expires November 2025.
- For the 2021 transportation bond authorization this is the first issuance of the \$42M authorization. This first tranche in the amount of \$17.5M will be used for:
 - Apex Peakway Southwest Connector
 - Pavement Management Backlog
 - Safe Routes to Schools Projects
- The two-third bonds authorization of \$3.46M will be used to fund the Mason Street Inspection Building project.

Attachments

- CN6-A1: Resolution(s):
 - Providing for The Sale and Issuance Of \$3,460,000 General Obligation Public Improvement Bonds, Series 2023A
 - Providing for The Sale and Issuance Of \$24,500,000 General Obligation Public Improvement Bonds, Series 2023B

