



## TOWN COUNCIL AGENDA ITEM

**MEETING DATE: July 8, 2025**

Agenda Title/Category:	Financing Resolution for Debt Issuance			
Staff Contact/Presenter:	Christopher Tucker, Finance Director			
Meets Strategic Initiative or Approved Plan:	Yes	No	If yes, list:	N/A
Background:	<p>The Town desires to issue revenue bond debt of NTE \$8M to fund the components and construction of Delivery 4 (New Substation).</p> <p>Davenport issued a Request for Financing Proposals to banking institutions last month and received the results June 19.</p>			
Discussion:	<p>After choosing which bank proposal, the next step is to approve an initial financing resolution. This resolution puts into record many of the things we have discussed: Reason for project, debt engagement w Bank, financing team and bond counsel, and requests that the Finance Director submit an application to the LGC for the issuance.</p>			
Fiscal impact:	Significant impact to future debt service commitments of the Electric Fund			
Attachments:	Resolution (Bank is blank, chosen in previous item)			
Recommended Motion to be made by Council:	Approve as presented with bank choice			

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PINEVILLE, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ELECTRIC SYSTEM REVENUE BONDS AND CERTAIN RELATED MATTERS**

*WHEREAS*, the Town Council (the “*Town Council*”) of the Town of Pineville, North Carolina (the “*Town*”) is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the “*Act*”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “*LGC*”), at one time or from time to time, revenue bonds of the Town for the purposes as specified in the Act; and;

*WHEREAS*, the Town Council is considering the issuance of a not to exceed \$8,000,000 Town of Pineville, North Carolina Electric System Revenue Bond, Series 2025 (the “*2025 Bond*”) to (1) finance the construction of a new electric substation (the “*2025 Project*”) and (2) to pay the costs of issuing the 2025 Bond; and

*WHEREAS*, the 2025 Bond are expected to be issued under a general trust indenture between the Town and Truist, as trustee, (the “*Trustee*”) and a series indenture between the Town and the Trustee;

*WHEREAS*, the Town Council wants to approve the retention of the financing team for the 2025 Bond, including (1) Parker Poe Adams & Bernstein LLP, as bond counsel; (2) Ballard Rosenberg Golper & Savitt, LLP, as the Town’s counsel; (3) Davenport & Company LLC, as financial advisor; (4) Truist, as trustee, paying agent and registrar for the 2025 Bond; (5) [Bank], as purchaser of the 2025 Bond (the “*Purchaser*”), and (6) Utility Financials Solutions (UFS), as feasibility consultant (collectively, the “*Financing Team*”); and

*WHEREAS*, the Town Council wants the Finance Director of the Town to file with the LGC an application for its approval of the 2025 Bond, on a form prescribed by the LGC, and (1) request in such application that the LGC approve (a) the negotiation of the sale of the 2025 Bond to the Underwriter and (b) the Town’s use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2025 Bond and to the Town and its financial condition, as may be required by the LGC, and to take all other action necessary to the issuance of the 2025 Bond;

*NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PINEVILLE, NORTH CAROLINA, AS FOLLOWS:*

**Section 1.** That the 2025 Bond is to be issued by the Town in an aggregate principal amount not to exceed \$8,000,000 for the purpose of providing funds to (1) finance the 2025 Projects and (2) pay the costs of issuing the 2025 Bond, all as will be set out in the documents attached to the Town’s application to the Commission. The 2025 Project is necessary to meet the needs of the users of the Town’s electric system.

**Section 2.** That the Finance Director or his respective designee, with advice from the Town's financial advisor and bond counsel, is hereby authorized, directed and designated to file an application with the LGC for its approval of the issuance of the 2025 Bond.

**Section 3.** That the Financing Team is hereby approved in connection with the issuance by the Town of the 2025 Bond, and the Town Manager and the Finance Director are each hereby authorized to retain other professionals as may be necessary and appropriate to carry out the intentions of the Town Council as set forth in this Resolution.

**Section 4.** That the Town Council finds and determines and asks the LGC to find and determine from the Town's application and supporting documentation:

- (a) that the issuance of the 2025 Bond is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2025 Bond will be sufficient but is not excessive, when added to other money available to the Town's electric system, to finance the 2025 Project;
- (c) that the Town's electric system as now constituted, and as it will be constituted after the completion of the 2025 Project, is feasible;
- (d) that the Town's debt management procedure and policies are good; and
- (e) that the 2025 Bond can be marketed at a reasonable interest cost to the Town.

**Section 5.** That the Town Council requests that the Commission sell the 2025 Bond through negotiation to the Purchaser on such terms as may be agreed on but at an interest rate not exceeding [Rate]%.

**Section 6.** That the Mayor, the Town Manager, the Finance Director and the Town Clerk, and their respective designees (the "*Authorized Officers*"), are each hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to complete the steps necessary for the issuance of the 2025 Bond. All acts and doings of the Authorized Officers that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2025 Bond shall be, and the same hereby are, in all respects approved and confirmed. Any provision in this Resolution that authorizes more than one officer of the Town to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

**Section 7.** That all resolutions or parts thereof of the Town Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 8.** That this Resolution is effective on its adoption.

Adopted this 8th day of July, 2025.

STATE OF NORTH CAROLINA            )  
  )  
TOWN OF PINEVILLE                )        SS:

I, *Lisa Snyder*, Town Clerk of the Town of Pineville, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PINEVILLE, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ELECTRIC SYSTEM REVENUE BONDS AND CERTAIN RELATED MATTERS**” duly adopted by the Town Council of the Town of Pineville, North Carolina at a meeting held on the 8th day of July, 2025.

***WITNESS*** my hand and the corporate seal of the Town of Pineville, North Carolina, this the \_\_\_\_ day of July, 2025.

(SEAL)

\_\_\_\_\_  
Lisa Snyder  
Town Clerk  
Town of Pineville, North Carolina