The Fayetteville Public Works Commission held a regular meeting at 955 Old Wilmington Road in Fayetteville, North Carolina, the regular place of meeting, at 8:30 a.m. on August 9, 2023.

Present: Chairman Ronna Rowe Garrett, presiding, and Commissioners Donald Porter, Evelyn Shaw, and Christopher Davis

Absent: Commissioners - None

Also Present: Councilmans Deno Hondros and Derrick Thompson , Interim Town Mgr Chancer Mclaughlin, and PWC Staff

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Rhonda Haskins introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Commissioner:

Resolution No. PWC2023.26

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A COMPETITIVE SALE AND APPROVING THE FINANCING TEAM ALL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT RESOLVED by the Fayetteville Public Works Commission (the "PWC"):

Section 1. The PWC does hereby find and determine as follows:

(a) The PWC, created pursuant to Chapter VIA of the City Charter of the City of Fayetteville, North Carolina (the "City") as a public authority for the purpose of managing, controlling and operating the electric, water, and sanitary sewer systems of the City, currently operates such electric, water and sanitary sewer systems.

(b) Pursuant to a bond order adopted by the City Council of the City on November 5, 1990, as supplemented and amended (the "Bond Order"), the City and the PWC created a combined enterprise system comprised of the electric system, water system, and sanitary sewer system (collectively, the "System"). The Bond Order provides for the issuance of revenue bonds thereunder, to be secured by the Net Revenues (as defined in the Bond Order) of the System as set forth therein, to finance or refinance improvements to the System and to refund bonds issued under the Bond Order.

(c) In order to better serve and provide for the future needs of the residents of the City and its environs, the PWC will acquire, (in the name of the City), construct and equip various improvements to its electric, water, and sanitary sewer systems, including, without limitation, (i) extension of water and sanitary sewer mains and lines to various annexed areas of the City, (ii) extension, rehabilitation and replacement of water and sanitary sewer mains and lines, (iii) improvements and upgrades to sanitary sewer collection and treatment facilities, (iv) improvements and upgrades to the water distribution and treatment facilities, and (v) construction, extension, and replacement of and improvements and upgrades to the electric system facilities (collectively, the "Series 2023 Project").

(d) The Series 2023 Project is necessary to secure adequate and reliable electric, water, and sanitary sewer services and to promote the present and future welfare of the residents of the City and its environs.

(e) The City has previously issued its Public Works Commission Revenue Bonds, Series 2014 (the "Prior Bonds").

(f) After consideration, the PWC has determined that the PWC and the City may be able to realize significant debt service savings through the refunding of all or a portion of the Prior Bonds.

(g) The PWC desires to commence procedures at this time for having the City issue revenue bonds for the purpose of providing funds, together with any other available funds, to (i) pay the costs of the Series 2023 Project, including capitalized interest with respect thereto, (ii) refund all or a portion of the Prior Bonds, (iii) fund any necessary debt service reserve fund for such revenue bonds, and (iv) pay certain fees and expenses incurred in connection with the sale and issuance of such revenue bonds.

(h) The PWC desires for the City to file an application with the Local Government Commission for approval of the issuance of such revenue bonds and to authorize certain actions in connection therewith.

(i) The amount of the proposed revenue bonds will be sufficient, but not excessive, for the purpose of paying the costs described in paragraph (g) above.

(j) The proposed Series 2023 Project and the proposed refunding of all or a portion of the Prior Bonds are feasible.

(k) The annual audits of the PWC show the PWC to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the PWC are in compliance with law.

(l) The proposed revenue bonds can be marketed at a reasonable interest cost to the City.

(m) Any projected rate increases for electric, water, and sanitary sewer services in connection with the issuance of the proposed revenue bonds will be reasonable.

Section 2. The officers and employees of the PWC are hereby authorized and directed to assist the City in filing an application with the Local Government Commission for approval of the issuance of revenue bonds in an aggregate principal amount not to exceed $295,000,000 for the purpose of providing funds, together with any other available funds, for the purposes described in Section 1(g) above. Any such action heretofore taken by the officers and employees of the PWC in connection with the filing of such application is hereby ratified and approved.

Section 3. The Local Government Commission is hereby requested to sell the proposed revenue bonds by competitive sale in accordance with the provisions of Article 7 of Chapter 159 of the North Carolina General Statutes.

Section 4. The following financing team members are hereby recommended for approval by the City in connection with the proposed revenue bond issue, and the PWC requests that the Local Government Commission approve the same:

Bond Counsel:	The Charleston Group
Financial Advisor:	First Tryon Advisors
Trustee/Bond Registrar:	The Bank of New York Mellon Trust Company, N.A.

Section 5. This resolution shall take effect immediately upon its adoption.

Upon motion of Commissioner Donald Porter, seconded by Commissioner Evelyn Shaw, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A COMPETITIVE SALE AND APPROVING THE FINANCING TEAM ALL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY OF FAYETTEVILLE, NORTH CAROLINA," was adopted by the following vote:

Ayes: Commissioner Ronna Garrett, Commissioner Donald Porter, Commissioner Evelyn Shaw and Commissioner Christopher Davis

Noes: None.

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I, Evelyn O. Shaw, Secretary of the Fayetteville Public Works Commission, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of so much of the proceedings of said Fayetteville Public Works Commission at a regular meeting held on August 9, 2023, as relates in any way to the adoption of the foregoing resolution and that said proceedings are to be recorded in minute books of said Fayetteville Public Works Commission.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said Fayetteville Public Works Commission this 9th day of August, 2023.

Evelyn D. Shaw
Secretary

[SEAL]