



CITY OF SPARTANBURG
SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
County Council Chambers
366 N. Church Street
Monday, July 14, 2025
5:30 PM

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of the Minutes of the June 23, 2025 Meeting**
- IV. Approval of the Agenda of the July 14, 2025 Meeting**
- V. Public Comment**
Public Comment Forms are available inside Council Chambers on the front podium. Please turn in the completed form to the City Clerk prior to the start of the meeting.
- VI. Award of Bid for 2025 City Street Safety Improvements**
Presenter: Jay Squires, Public Works Director
- VII. Award of Bid for 2025 Street Resurfacing**
Presenter: Jay Squires, Public Works Director
- VIII. Boards and Commissions Appointments**
Presenter: Christie Lindsey, City Clerk
- IX. Grow Together-Update on Use of Neighborhood Enhancement Dollars**
Presenter: Christopher George, Communications and Engagement Director
- X. Ordinance**
 - A. An Ordinance Providing for the Issuance and Sale of Water System Refunding Revenue Bonds of the City of Spartanburg, South Carolina, in One or More Series, in an Aggregate Principal Amount Not to Exceed Twenty-Six Million Five Hundred Thousand Dollars (\$26,500,000); and Other Matters Relating Thereto.**
Ordinance # 2025-005
Presenter: Robert Coler, City Attorney
- XI. Morgan Square and Downtown Projects Update**
Presenter: Chris Story, City Manager
- XII. Staff Updates**
- XIII. City Council Updates**

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information

XIV. Executive Session

- A. An Executive Session Pursuant to Section 30-4-70(a)(2) of the South Carolina Code of Laws to Receive Legal Advice.**

XV. Adjournment.

City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.



**City Council Meeting
County Council Chambers
366 N. Church Street
Monday, June 23, 2025
5:30p.m.**

(These minutes to be approved at the July 14, 2025 Council Meeting)

City Council met this date with the following Councilmembers present: Mayor Pro Tem Erica Brown, Councilmembers Meghan Smith, Janie Salley, Jamie Fulmer, and Ruth Littlejohn. City Manager Chris Story, Deputy City Manager Mitch Kennedy, Assistant City Manager Kevin Limehouse, City Attorney Robert Coler, and City Clerk Christie Lindsey were in attendance. Mayor Jerome Rice was absent. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are live streamed/recorded. To view the video for a complete transcript, please visit <https://www.cityofspartanburg.org/city-council>

- I. Moment of Silence – observed**
- II. Pledge of Allegiance - recited**
- III. Approval of the Minutes of the June 9, 2025 City Council Meeting**
Councilmember Fulmer made a motion to approve the minutes as received.
Councilmember Smith seconded the motion, which carried unanimously 5 to 0.
- IV. Approval of the Agenda for the June 23, 2025 City Council Meeting -**
Councilmember Littlejohn made a motion to approve the agenda as received.
Councilmember Fulmer seconded the motion, which carried unanimously 5 to 0.
- V. Public Comment –**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
1. Aksel Wagner-Farley Street and Butterfly Branch crime and property damage issues.
- VI. The Spartanburg Community Aviation Program-Class of 2025**
Presenter: Terry Connorton
Council received presentation as information only.
- VII. Resolutions**
 - A. A Resolution Accepting the Donation of Property Located at 280 S. High Point Road Bearing Tax Map Parcel #7-15-04-142.00**
Resolution # 2025-013
Presenter: Robert Coler, City Attorney
Councilmember Smith made a motion to approve the Resolution as presented.
Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

B. A Resolution Allocating the Fiscal Year 2025 Community Development Block Grant and Home Partnership Funds+

Resolution # 2025-014

Presenter: Martin Livingston, Community Development Director

Councilmember Salley made a motion to approve the Resolution as presented.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

VIII. Award of Bid for Banking Services for the City of Spartanburg

Presenter: Dennis Locke, Finance Director

Councilmember Fulmer made a motion to approve the award of bid to TD Bank.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

IX. Fraud Risk Management Assessment Presentation

Presenter: Dennis Locke, Finance Director

Council received the presentation as information only.

X. Boards and Commissions Appointments

Presenter: Christie Lindsey, City Clerk

Councilmember Smith made a motion to approve the following appointments.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

Accommodations Tax Advisory Board-

Victoria Wooley appointed to a 4 year term.

Bicycle and Pedestrian Committee-

Madeline Collier appointed to a 2 year term.

Sam Bacurin appointed to fill unexpired term until 2026.

Madhav Kumar appointed to fill unexpired term until 2027.

Construction Board of Adjustments and Appeals

Michael Wilcox reappointed for a 3 year term.

Ricky Fields appointed to a 3 year term.

Housing Board of Adjustments and Appeals

Kathy Ronson reappointed to a 3 year term.

Jeff Parks reappointed to a 3 year term.

Planning Commission

Jemar Brown reappointed for a 4 year term.

Public Safety Committee

Landie Keenan appointed to a 3 year term.

Spartanburg Housing Board

Brooks Gaylord reappointed to a 5 year term.

Ebony Gaffney reappointed to a 5 year term.

Michelle Jones reappointed to a 5 year term.

Board of Architectural Design and Historic Review (HARB)

Julie Gilmore appointed to fill unexpired term until 2027.

Brandon Gaffney reappointed for a 3 year term.

Adib Kapasi appointed for a 3 year term.

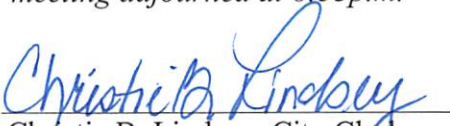
XI. Staff Updates

Chris Story advised he planned to bring a presentation regarding Morgan Square to Council on July 14, 2025 and shortly thereafter a version of the Strategic Plan. He also advised council of the coming final details regarding the roll out of the Micro-Transit pilot.

XII. City Council Updates

Each Councilmember gave updates on their activities since the previous council meeting.

XIII. Adjournment – *Councilmember Littlejohn made a motion to adjourn the meeting. Councilmember Smith seconded the motion, which carried unanimously 5 to 0. The meeting adjourned at 6:53p.m.*


Christie B. Lindsey, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Chris Story, City Manager
FROM: Jay Squires, Public Works Director
SUBJECT: 2025 City Street Safety Improvements
DATE: July 7, 2025

BACKGROUND: Staff received a bid to provide construction services for 2025 City Street Safety Improvements. Work entails installation of new or repair of existing thermoplastic striping & installation of vehicular guardrail.

The following bids were received:

HRH Engineering Services, LLC.	Boiling Springs, S.C.	\$ 106,689.75
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Staff have reviewed the bids and based on that review; staff have determined that HRH Engineering Services LLC. is the responsive low bidder. It is anticipated that it will take 30 days to complete this project. Contractor will utilize a detour route during the construction phase.

ACTION REQUESTED:

Allow staff to accept the bids and authorize the City Manager to enter a contract with HRH Engineering Services, LLC. for the completion of the project.

BUDGET AND FINANCE DATA:

\$106,689.75 to be paid by Spartanburg County Transportation Committee.



REQUEST FOR COUNCIL ACTION

TO: Chris Story, City Manager
FROM: Jay Squires, Public Works Director
SUBJECT: 2025 Street Resurfacing Phase I
DATE: July 7, 2025

BACKGROUND: Staff received a bid to provide construction services for Street Resurfacing for 2025.

The following bids were received:

Cherokee Gading & Landscaping	Gaffney, S.C.	\$ 821,938.18
Parking Lot Pros	Spartanburg, S.C.	\$ 858,194
Brad Pace Construction	Lyman, S.C.	\$ 888,834.70
Civil Pros	Boiling Springs, S.C.	\$ 952,926.48

Staff have reviewed the bids and based on that review; staff have determined that Cherokee Grading & Landscaping. is the responsive low bidder. It is anticipated that it will take 60 days to complete this project. Contractor will utilize detour routes & flag person during the construction phase.

ACTION REQUESTED:

Allow staff to accept the bids and authorize the City Manager to enter a contract with Cherokee Grading & Landscaping for the completion of the project.

BUDGET AND FINANCE DATA:

\$821,938.18 to be paid by Spartanburg County Transportation Committee & General Funds.



REQUEST FOR CITY COUNCIL ACTION

TO: Chris Story, City Manager

FROM: Christopher George, Communications and Engagement Director

SUBJECT: Grow Together - Update on Use of Neighborhood Enhancement Dollars

DATE: July 14, 2025

BACKGROUND: City Council previously approved the allocation of \$1,000,000 ARPA funds to Neighborhood Enhancements as part of the City's revenue. These funds were to be invested in activities defined as neighborhood grants programming, public right-of-way improvements, and community-based leadership development/capacity building. This allocation intends to address comprehensive plan strategies noted within three sections: Green Space, Resiliency, and Transportation.

City staff would like to provide an update on the development of one element of this strategy that is ready to launch, the Grow Together Grant.

City staff plans to utilize \$300,000 of the allocated dollars over the next three years to instigate the grant program and build momentum for its sustainability. This neighborhood grants program will focus on building neighborhood capacity, strengthening community partnerships, and encouraging community engagement through healthy and inclusive activities.

The update will include an overview of the program, eligibility criteria, as well as a general timeline for implementation.

ACTION REQUESTED: Provide update to City Council on Grow Together Grant.



REQUEST FOR CITY COUNCIL ACTION

TO: Chris Story, Manager

FROM: Robert Coler, Attorney

SUBJECT: Ordinance to authorize Spartanburg Water to issue revenue bonds

DATE: July 14, 2025

BACKGROUND:

Spartanburg Water System is a Commission of Public Works created by the General Assembly of the State of South Carolina in 1908. It is governed by a three- member Commission elected from citizens of the City of Spartanburg. **Spartanburg Water System** and a separate entity, **Spartanburg Sanitary Sewer District**, are housed and operate under the umbrella of **Spartanburg Water**. Spartanburg Water System is an entity that is separate and distinct from the City of Spartanburg.

Spartanburg Water System now seeks to issue and sell approximately \$26.5 million worth of revenue bonds to refund approximately \$26.5 million worth bonds issued and sold in 2015. The intent of refunding the 2015 bonds is to obtain more favorable borrowing terms. The new bonds will be paid solely from and secured solely by gross revenues of Spartanburg Water System. The City of Spartanburg is, in now-way, obligated to pay or secure the new bonds. State law simply requires City Council to approve this issuance and sale of revenue bonds.

This present issuance and sale of revenue bonds (“Series 2025”, “Series 2025A”, or “Series 2025B”) is the latest in a series of issuances of revenue bonds first contemplated by City Council’s authorization of Spartanburg Water System’s issuance and sale of revenue bonds in October, 1998. Subsequent issuances occurred in 2012, 2015, 2017, and 2020.

Staff looks forward to answering any questions that Council may have.

ACTION REQUESTED:

Council to approve the attached Ordinance.

BUDGET AND FINANCIAL DATA:

No impact on City finances. Issued bonds will be payable solely from and secured solely by gross revenues of Spartanburg Water System.

AN ORDINANCE

PROVIDING FOR THE ISSUANCE AND SALE OF WATER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$26,500,000); AND OTHER MATTERS RELATING THERETO.

SERIES ORDINANCE

Enacted July 28, 2025

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BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

Section 1.01 Findings

As an incident to the enactment of this Ordinance and the issuance of the bonds provided for herein, the City Council of the City of Spartanburg, South Carolina (the ***“City Council”***), the governing body of the City of Spartanburg, South Carolina (the ***“City”***), finds that the facts set forth in this Article exist, and the following statements are in all respects true and correct:

(a) The City Council has made general provision for the issuance from time to time of Water System Revenue Bonds of the City (the ***“Bonds”***) through the enactment of an ordinance entitled “An Ordinance Providing for the Issuance and Sale of Junior Lien Water System Revenue Bonds of the City of Spartanburg, South Carolina, and Other Matters Relating Thereto” enacted October 26, 1998, as amended by ordinance of the City Council enacted December 10, 2001 (collectively, the ***“Bond Ordinance”***). Due to the subsequent payment in full of certain senior lien water system revenue bonds of the City since the date of enactment of the Bond Ordinance, all references to “junior lien” status of Bonds within the Bond Ordinance are no longer deemed applicable for purposes herein.

(b) It is provided in and by the Bond Ordinance that, upon enactment of a “Series Ordinance” by the City Council and the adoption of a “Series Resolution” by the Commissioners of Public Works of the City (the ***“Commissioners”***), the governing body of the water system of the City (the ***“System”***), there may be issued one or more series of Bonds for the purpose of providing funds for expansion and improvements to the System, refunding Bonds or other indebtedness issued to provide land or facilities for the System or payable from the revenues of the System, and funding the debt service reserve funds, if any, established for the benefit of the holders of Bonds.

(c) The Commissioners have advised the City Council that an amount not to exceed \$26,500,000 should be raised through the issuance of one or more Series of Bonds in order to provide funds to defray the cost of (i) current refunding all or a portion of the outstanding \$26,085,000 of an original issue of \$26,085,000 City of Spartanburg, South Carolina Water System Refunding Revenue Bonds, Series 2015A (the ***“Series 2015A Bonds”***); (ii) satisfying the debt service reserve requirement, if any, for each such Series of Bonds and certain other outstanding Bonds; and (iii) paying related costs of issuance.

(d) By reason of the foregoing, the City Council has determined to enact this ordinance as a “Series Ordinance” in accordance with the terms and provisions of the Bond Ordinance, in order to affect the issuance of one or more Series of Bonds described herein.

[End of Article I]

ARTICLE II

DEFINITIONS AND AUTHORITY

Section 2.01 Definitions

(a) Except as provided in subsection (b) below, all terms which are defined in Section 2.02 of the Bond Ordinance shall have the same meanings in this 2025 Series Ordinance. As provided in the recitals to this 2025 Series Ordinance, all references to the “junior lien” status of Bonds within the Bond Ordinance shall be disregarded.

(b) As used in this 2025 Series Ordinance, unless the context shall otherwise require, the following terms shall have the following respective meanings:

“2025 Series Ordinance” shall mean this Ordinance.

“Approved Series of Bonds” shall mean the various Series of Bonds as authorized by this 2025 Series Ordinance and designated as provided in **Section 3.01** hereof.

“Debt Service Funds” shall mean the Debt Service Funds to be established with respect to the Approved Series of Bonds.

“Debt Service Reserve Funds” shall mean the Debt Service Reserve Funds to be established with respect to the Approved Series of Bonds.

“Outstanding Bonds” shall mean the Series 2012 Bonds, Series 2015A Bonds, the Series 2015B Bonds, the Series 2017A Bonds, the Series 2017B Bonds and the Series 2020 Bonds.

“Series 2012 Bond” shall mean the \$8,000,000 original principal amount City of Spartanburg, South Carolina Water System Revenue Bond, Series 2012.

“Series 2015A Bonds” shall mean the \$26,085,000 original principal amount City of Spartanburg, South Carolina Water System Refunding Revenue Bonds, Series 2015A.

“Series 2015B Bonds” shall mean the \$6,255,000 original principal amount City of Spartanburg, South Carolina Taxable Water System Refunding Revenue Bonds, Series 2015B.

“Series 2017A Bond” shall mean the \$59,080,000 original principal amount City of Spartanburg, South Carolina Water System Refunding Revenue Bond, Series 2017A.

“Series 2017B Bonds” shall mean the \$45,930,000 original principal amount City of Spartanburg, South Carolina Water System Refunding and Improvement Revenue Bonds, Series 2017B.

“Series 2020 Bonds” shall mean the \$28,875,000 original principal amount City of Spartanburg, South Carolina Taxable Water System Refunding Revenue Bonds, Series 2020.

“Series Resolution” shall mean the resolution(s) of the Commissioners authorizing the issuance of the Approved Series of Bonds.

Section 2.02 Authority for this 2025 Series Ordinance

This 2025 Series Ordinance is enacted pursuant to the provisions of the Bond Ordinance.

[End of Article II]

ARTICLE III

AUTHORIZATION AND TERMS OF APPROVED SERIES OF BONDS

Section 3.01 Authorization of Approved Series of Bonds

Pursuant to the provisions of Title 6, Chapter 21 of the South Carolina Code of Laws (the “Act”) and the Bond Ordinance, the Approved Series of Bonds, entitled to the benefits, protection and security of the provisions of the Bond Ordinance, are hereby authorized to be issued in the aggregate principal amount of not exceeding \$26,500,000. The Approved Series of Bonds shall be designated “City of Spartanburg, South Carolina Water System Refunding Revenue Bonds” including yearly designations of “Series 2025,” “Series 2025A” and/or “Series 2025B” or with such other or different designations as may be determined by the Commissioners.

Section 3.02 Purposes of Approved Series of Bonds

(a) The Approved Series of Bonds are authorized for the following purposes authorized by the Act and the Bond Ordinance:

- (i) providing funds to pay for the cost of refunding all or a portion of the Series 2015A Bonds;
- (ii) funding the respective Debt Service Reserve Funds, or purchasing one or more surety bonds to satisfy the same, in the amounts of the Reserve Requirements, if any, with respect to the Approved Series of Bonds if necessary when taking into account the amount of funds currently in the debt service reserve funds of the Outstanding Bonds; and
- (iii) paying costs and expenses relating to the issuance of the Approved Series of Bonds.

(b) Pursuant to the authorization of Section 2.02 of the Bond Ordinance contained in the definition of Reserve Requirement, there will be no Reserve Requirement with respect to any of the Approved Series of Bonds unless determined otherwise in a Series Resolution of the Commissioners; provided, however, to the extent the aggregate Reserve Requirement for all Outstanding Bonds exceeds the maximum Annual Principal and Interest Requirement for all Bonds Outstanding, then the Reserve Requirement for each Approved Series of Bonds shall be that Series’ proportionate amount of the maximum combined Annual Principal and Interest Requirement for all Bonds then Outstanding determined in accordance with the Bond Ordinance.

Section 3.03 Details of Approved Series of Bonds

The Approved Series of Bonds may be issued in one or more Series as Serial Bonds, Term Bonds, Capital Appreciation Bonds or any combination, as determined by the Commissioners pursuant to the Series Resolution.

Section 3.04 Security for Approved Series of Bonds

Pursuant to Section 4.18 of the Bond Ordinance, the Approved Series of Bonds shall be payable solely from and secured by a pledge of that portion of the Gross Revenues of the System remaining after the payment of Operation and Maintenance Expenses and a statutory lien on the System. Such pledge securing the Approved Series of Bonds shall be and remain superior to pledges made to secure any other bonds or other

obligations payable from the revenues of the System, except for “Junior Lien Bonds” as defined under and issued pursuant to the Bond Ordinance, including the Outstanding Bonds, with which the Approved Series of Bonds shall be on a parity. The Approved Series of Bonds shall not in any event constitute an indebtedness of the City within the meaning of any provision, limitation or restriction of the Constitution or statutes of the State, other than obligations payable from a revenue producing project or a special source not involving revenue from any tax or license. The faith, credit and taxing power of the City are expressly not pledged therefor. The City is not obligated to pay the Approved Series of Bonds, or the interest thereon, save and except from that portion of the Gross Revenues of the System remaining after the payment of Operation and Maintenance Expenses.

[End of Article III]

ARTICLE IV

EXECUTION OF APPROVED SERIES OF BONDS; NO RECOURSE

Section 4.01 Execution

The Approved Series of Bonds shall be executed on behalf of the City by the Chair of the Commissioners (or in his or her absence for any reason, the Vice Chair of the Commissioners) and the Secretary of the Commissioners (or in his or her absence for any reason, the acting Secretary of the Commissioners), and the Approved Series of Bonds shall be authenticated in accordance with the provisions of the Bond Ordinance and the Series Resolution.

Section 4.02 No Recourse

All covenants, stipulations, promises, agreements and obligations of the City contained in the Bond Ordinance and in this 2025 Series Ordinance shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the City and not those of any officer or employee of the City in his or her individual capacity, and no recourse shall be had for the payment of the principal or redemption price of or interest on the Approved Series of Bonds or for any claim based thereon or on the Bond Ordinance or on this 2025 Series Ordinance, either jointly or severally, against any officer or employee of the City or any person executing the Approved Series of Bonds.

[End of Article IV]

ARTICLE V

AUTHORIZATION TO COMMISSIONERS FOR SERIES RESOLUTION

Section 5.01 Authorization

(a) The Commissioners are hereby authorized and empowered to adopt one or more Series Resolutions for the purpose of causing the issuance of the Approved Series of Bonds.

(b) The Series Resolution shall express the approval of the Commissioners to the issuance of the Approved Series of Bonds and their agreement to abide by all of the terms, provisions and agreements set forth in the Bond Ordinance and this 2025 Series Ordinance. The Commissioners are hereby expressly delegated the authority in the Series Resolution to specify and determine the details with respect to the Approved Series of Bonds set forth in Section 4.01(B) and 4.01(C) of the Bond Ordinance.

(c) The Series Resolution shall further specify and determine:

(i) The interest rate or rates or the process for determining such rate or rates subject to any limitations, such as any maximum rate or rates, as may be generally imposed by the Commissioners; and

(ii) If the Commissioners determine to establish a Reserve Requirement with respect to any Approved Series of Bonds, to what extent, if any, the Debt Service Reserve Fund will be funded with a surety bond or similar credit instrument.

(d) The Commissioners are hereby specifically authorized to covenant, on behalf of the City, with respect to those matters required by any debt service reserve fund surety bond or similar credit instrument, with respect to the Approved Series of Bonds, as well as those matters related to the continuing disclosure requirements of Section 11-1-85 of the Code of Laws of South Carolina, 1976, as amended, and the United States Securities and Exchange Commission Rule 15c2-12, to the extent not inconsistent with the provisions of the Bond Ordinance and this 2025 Series Ordinance.

(e) The Series Resolution shall provide for the establishment of Debt Service Funds and Debt Service Reserve Funds, as well as for the appointment of the Trustee, with respect to the Approved Series of Bonds, all in the manner provided in the Bond Ordinance.

[End of Article V]

ARTICLE VI

SALE OF APPROVED SERIES OF BONDS

Section 6.01 Delegation of Certain Matters Relating to the Sale of Approved Series of Bonds

(a) The Approved Series of Bonds shall be sold to purchasers, underwriters or financial institutions selected by the Commissioners pursuant to terms to be negotiated by the Commissioners with such purchasers, underwriters or financial institutions, including, if applicable pursuant to any contracts of purchase. Any such contract of purchase shall not be in conflict with the provisions of this 2025 Series Ordinance and shall be executed on behalf of the City by a duly authorized officer of the Commissioners and, if so requested by the Commissioners, the Mayor and/or the City Manager. The execution of the contracts of purchase by such officials shall constitute conclusive evidence of their approval of its terms.

(b) The Commissioners are hereby authorized to prepare and cause to be distributed on behalf of the City in connection with the sale of the Approved Series of Bonds official statements, including any preliminary official statements, or private placement memoranda, as determined by the Commissioners, with respect to the Approved Series of Bonds.

[End of Article VI]

ARTICLE VII

COMPLIANCE WITH REQUIREMENTS OF THE CODE

Section 7.01 Compliance with the Code Generally

In the event any Series of Approved Series of Bonds are issued with the intent that the interest on such Series of Approved Series of Bonds will be exempt from federal income taxation, the City hereby represents and covenants that it will comply with all requirements of the Code, and that it will not take any action which will, or fail to take any action (including, without limitation, filing the required information report with the Internal Revenue Service) which failure will, cause interest on any such Series of Approved Series of Bonds to become includable in the gross income of the Holders thereof for federal income tax purposes pursuant to the provisions of the Code and applicable Treasury Regulations promulgated thereunder.

Section 7.02 Rebate

In the event any Series of Approved Series of Bonds are issued with the intent that the interest on such Bonds will be exempt from federal income taxation:

(A) In addition to the covenants contained in **Section 7.01** hereof, the City covenants that it will comply with the provisions of Section 148 of the Code and applicable Treasury Regulations pertaining to the rebate of certain investment earnings on the proceeds of such Series of Approved Series of Bonds to the United States Government.

(B) In order to comply with the requirements of **Section 7.01** hereof and paragraph (A) of this **Section 7.02**, the City further agrees to enter into such tax compliance agreements or certificates, on or prior to the date of issuance of such Series of Approved Series of Bonds, as shall be deemed advisable by Bond Counsel.

(C) Any two of the Chair, the Chief Executive Officer and the Chief Financial Officer of the System are hereby authorized and directed to execute and deliver, on or prior to the issuance of the Approved Series of Bonds, one or more certificates or instruments specifying actions taken or to be taken by the Commissioners and setting forth the reasonable expectations of the Commissioners with respect to the Approved Series of Bonds and the use and investment of the proceeds thereof.

Section 7.03 Commissioners' Responsibility

Notwithstanding anything in this **Article VII** or this 2025 Series Ordinance to the contrary, the Commissioners shall be solely responsible for undertaking all obligations of the City pursuant to, and compliance by the City with the provisions of, this **Article VII**.

[End of Article VII]

ARTICLE VIII

MISCELLANEOUS

Section 8.01 Severability

If any one or more of the covenants or agreements provided in this 2025 Series Ordinance on the part of the City or any Fiduciary to be performed should be contrary to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this 2025 Series Ordinance.

Section 8.02 Table of Contents and Section Headings Not Controlling

The “Table of Contents” and the headings of the several Articles and Sections of this 2025 Series Ordinance have been prepared for convenience of reference only and shall not control, affect the meaning of, or be taken as an interpretation of any provision of this 2025 Series Ordinance.

Section 8.03 Effectiveness of this 2025 Series Ordinance; Expiration Date

- (a) This 2025 Series Ordinance shall be effective from its date of enactment.
- (b) The approval of the issuance of the Approved Series of Bonds as provided in this 2025 Series Ordinance shall be deemed to expire one year from the date of enactment of this 2025 Series Ordinance to the extent of any approved indebtedness which has not been issued by that date.

[End of Article VII]

DONE, RATIFIED AND ENACTED this 28th day of July, 2025.

Mayor, City of Spartanburg, South Carolina

Attest:

City Clerk, City of Spartanburg,
South Carolina

First Reading: July 14, 2025
Second Reading: July 28, 2025

This Ordinance has been reviewed by me and is hereby approved as to form and legality.

City Attorney,
City of Spartanburg, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

CERTIFICATE OF ORDINANCE

I, the undersigned, City Clerk of the City of Spartanburg, South Carolina (the “*City*”), **DO HEREBY CERTIFY:**

1. I am the duly appointed and acting City Clerk and, in such capacity, act as the recorder and custodian of its official records.

2. That the foregoing constitutes a true, correct and verbatim copy of an Ordinance enacted by the City Council of the City (the “*City Council*”). The Ordinance was read at two public meetings of City Council on two separate days. An interval of at least six days occurred between each reading. At each meeting, a quorum of the City Council was present and remained present throughout the meeting.

3. The original of the ordinance is duly entered in the permanent records of the City, in my custody as City Clerk.

4. The ordinance has not been modified, amended or repealed as of this date and remains in full force and effect.

5. As required by Title 30, Chapter 4 of the Code of Laws of South Carolina, 1976, as amended (the “*Act*”), being the Freedom of Information Act, a copy of the agenda of the meetings of the City Council (showing the date, time and place of the meetings) of the City was posted on a bulletin board in the lobby of City Hall and on the City’s website at least 24 hours prior to said meetings and copies of the agenda for said meetings were provided to the local media requesting the same.

6. As required by the Act, the meetings of the City Council of the City held on the below mentioned dates were open to the public except those portions allowed to be held in closed session under the Act.

IN WITNESS WHEREOF, I have hereunto set my Hand this 28th day of July, 2025.

City Clerk,
City of Spartanburg, South Carolina

First Reading: July 14, 2025
Second Reading: July 28, 2025