



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, February 24, 2014
5:30 p.m.**

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of the Minutes of the February 10, 2014 City Council Meeting**
- IV. Approval of Agenda of the February 24, 2014 City Council Meeting**
- V. Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Ordinances**
 - A. Authorizing the City to Quitclaim Deed Property to the Housing Authority of the City of Spartanburg (Second Reading)**
Presenter: Mitch Kennedy, Community Services Director
 - B. Ordinance to Create a Policy for Honorary City Street Signs (Second Reading)**
Presenter: Ed Memmott, City Manager
 - C. Authorizing Refinancing of Certificates of Participation Series 2010 (Renaissance Park Conference Center) (First Reading)**
Presenter: Dennis R. Locke, Finance Director
- VII. Other Business**
 - A. Award of Bid for Brandywine Lane Culvert Improvement Project**
Presenter: Jay Squires, Storm Water Manager
 - B. Award of Bid for Hillbrook Drive II Culvert Improvement Project**
Presenter: Jay Squires, Storm Water Manager
 - C. Runway Extension and Runway Safety Area (RSA)**
Presenter: Darwin Simpson, Airport Director

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 Act.

VIII. City Council Updates

IX. 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
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, February 10, 2014
5:30 p.m.**

**(These minutes are subject to approval at the
February 24, 2014 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Jan Scalisi, Councilmembers Cate Ryba, Erica Brown, Jerome Rice, Robert Reeder, and W. Sterling Anderson were in attendance. City Manager Ed Memmott and City Attorney Cathy McCabe were also in attendance. 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 recorded for a complete transcript.

- I. Moment of Silence** – observed
- II. Pledge of Allegiance** – A large group of Boy Scouts from various troops in the area lead every in the Pledge of Allegiance.
- III. Approval of the Minutes of the January 27, 2014 City Council Meeting** –
*Mayor pro tem Scalisi made a motion to approve the minutes as received.
Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of Agenda of the February 10, 2014 City Council Meeting** –
*Councilmember Ryba made a motion to approve the agenda as received.
Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.*
- V. Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
Melvin Norwood, 123 White Road Spartanburg, SC 29301, came forward to ask that there be a more customer friendly government.
- VI. Ordinances**
 - A. Authorizing the City to Quitclaim Deed Property to the Housing Authority of the City of Spartanburg (First Reading)**
Presenter: Mitch Kennedy, Community Services Director
Mr. Kennedy presented the item to City Council as follows:
“The Housing Authority of the City of Spartanburg (“SHA”) is seeking redevelopment of the Cammie Claggett Courts apartment complex. In its efforts to arrange project financing, legal counsel for the SHA has determined that the property at various times has been listed in Spartanburg County records as being owned by the City of

Spartanburg. The Cammie Claggett property is in fact owned by the Housing Authority of the City of Spartanburg. However, to remove any question regarding ownership, the City has been asked to execute a quitclaim deed for the property. Staff is recommending approval.

Staff is also encouraged to learn that the SHA is moving forward with its efforts to obtain project funding. We expect that Mr. Harry Byrd, SHA Executive Director, will be ready to brief City Council in detail in March.

Staff is requesting first reading approval of an Ordinance approving a quitclaim deed of the Cammie Claggett property to the Housing Authority of the City of Spartanburg.”

Councilmember Rice made a motion to approve the ordinance as presented on first reading. Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.

B. Ordinance to Create a Policy for Honorary City Street Signs (First Reading)

Presenter: Ed Memmott, City Manager

Mr. Memmott presented the item to City Council as follows:

“Staff has been asked to research the option of creating an honorary street naming program. In our research, we have found that many cities have such programs. Staff has also found common procedures with respect to nomination process and consideration by the elected body.

For Council’s review, staff has developed an Ordinance that would establish an honorary street naming program. As drafted, the Ordinance would require nomination by a Council member and endorsement by a second member of Council. Staff would be responsible for providing advance notice to property owners in reasonable proximity to the street or street area proposed for honorary naming. The notice would provide the date and time for Council’s consideration of the honorary naming and would establish procedures for Council to receive public comment. The Ordinance would also set procedures for revocation of any honorary street naming.

Staff is requesting Council review of and consideration of the draft Ordinance. If Council finds the Ordinance acceptable, it could proceed with first reading. Staff would continue its work regarding this program and could recommend minor changes to the program prior to second reading consideration on February 24.

BUDGET AND FINANCIAL DATA: Staff would anticipate less than \$1,000 per year in expenses associated with this program.”

Councilmember Rice made a motion to approve the ordinance as presented on first reading. Mayor pro tem Scalisi seconded the motion, which carried unanimously 7 to 0.

VII. Update from the Arts Partnership

Presenter: Jennifer Evins, President and CEO of the Arts Partnership of Greater Spartanburg

Ms. Evins updated Council on the activities and future plans for the Arts Partnership of Greater Spartanburg and the Chapman Cultural Center.

VIII. Consent Agenda

- A. Ordinance Accepting the Property Owned by Thomas E. Austin, and being Located at 424 Ransdell Drive and that Portion of Ransdell Drive Abutting said Property, as a Part and Parcel of the City of Spartanburg and Declaring said Property Annexed to and a Part and Parcel of the City of Spartanburg, said Parcel to be Zoned R-15, Single Family Residential upon Annexation (Second Reading)**
Presenter: Joshua T. Henderson, Planning Coordinator
Councilmember Reeder made a motion to approve the consent agenda on second reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

IX. City Council Updates –

Councilmember Rice shared that the basketball court at Spartanburg High School was named the “Doug Lowe Court” the previous Friday evening. He read a proclamation honoring Coach Lowe at the event.

Councilmember Ryba reminded everyone of the spoken word and musical performance on February 15, by Markeisha Nesbitt, who goes as “One Love”, in memory of Erica Fields, who was killed in an accident near Spartanburg High School.

Mayor pro tem Scalisi pointed out the new Police Chief Alonzo Thompson was in attendance. She directed everyone to the City’s website for safety instructions for the impending snow storm.

Councilmember Anderson shared that he attended the Spartanburg County Delegation meeting on the previous Monday evening. He shared that he attended a Partners for Active Living forum with Assistant City Manager Chris Story. He shared that he attended the SPATS committee meeting that morning, stating that that group was dealing with millions and millions of dollars. He shared that Mayor White was elected as Vice Chairman of SPATS. He recognized Ron Kirby and Chris Barrett as Scoutmasters at St. James Methodist Church and commended them for the work they do in the community. He mentioned that he worked with Jennifer Evins on the USC Upstate Board and recommended everyone visit the campus.

Councilmember Brown invited everyone to attend a fundraiser that evening for the Hub City Farmers Market at Chipotle Grill. She stated that 50% of the proceeds would go to help with funding of the Hub City Farmers Market. She mentioned that the City Parks and Recreation Department would have sign up for the Itty Bitty Soccer for the year 2014. It is a five week instructional program that teaches kids basic soccer skills. She stated that more information was available at the Northwest Center or the CC Woodson Center.

Councilmember Reeder recognized Representative Harold Mitchell who was in attendance.

Mayor White thanked all the Boy Scouts in attendance and commended them on the job they were doing in the community. He thanked Mayor pro tem Scalisi for a great job filling in for him while he was away recuperating from shoulder replacement surgery.

X. Adjournment –

Councilmember Ryba made a motion to adjourn the meeting. Mayor pro tem Scalisi seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 6:13 p.m.

A reception was held honoring Mayor Junie White, Councilmember Cate Ryba, Councilmember Erica Brown, Councilmember Jerome Rice, and Councilmember Sterling Anderson, all elected or re-elected in the November election and the January 21 special election.



Connie S. McIntyre, City Clerk



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Mitch Kennedy, Community Services Director

SUBJECT: Second Reading Consideration of an Ordinance to Approve a Quitclaim Deed of Cammie Claggett Property

DATE: February 5, 2014

BACKGROUND: At the February 10 meeting, Council gave first reading approval of an Ordinance to authorize signing of a quitclaim deed to the Housing Authority of the City of Spartanburg (“SHA”). SHA and City staff members have engaged in additional discussions on this matter and now want to include all Cammie Claggett parcels in the quitclaim deed. If approved by Council, this will simply clear up was a clerical error in how this property was listed in records at Spartanburg County.

Mr. Harry Byrd, SHA Executive Director, will provide Council with a full briefing on redevelopment plans for Cammie Claggett in March.

ACTION REQUESTED:

Second reading approval of an Ordinance approving a quitclaim deed of the Cammie Claggett property to the Housing Authority of the City of Spartanburg.

BUDGET AND FINANCIAL DATA:

N/A

AN ORDINANCE

TO AUTHORIZE THE CITY TO QUITCLAIM DEED
PROPERTY TO THE HOUSING AUTHORITY OF THE CITY
OF SPARTANBURG

WHEREAS, the Housing Authority of the City of Spartanburg (“SHA”) has operated a public housing project, Cammie Claggett Apartments (“Apartments”), for many years as HUD-identified and HUD-funded public housing; and

WHEREAS, the City believes the Apartments property may have been listed in Spartanburg County property ownership records as being owned by the City of Spartanburg even though the Apartments property is owned by the Housing Authority of the City of Spartanburg; and

WHEREAS, SHA has requested the City to execute a quitclaim deed to clarify ownership of the Apartments property.

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Members of Council of the City of Spartanburg, in Council assembled:

Section 1. To authorize the City to quitclaim any ownership of record it may have in the Cammie Claggett Apartments property identified as follows to the Housing Authority of the City of Spartanburg:

201 Highland Avenue	TM# 7-12-13-254.00
311 Highland Avenue	TM# 7-16-01-299.00
420 Bethlehem Drive	TM# 7-16-01-325.00
105 Norris Street	TM #7-16-05-007.00
107 Norris Street	TM #7-16-05-008.00
351 Concord Avenue	TM# 7-16-01-247.00
201 Bunker Street	TM# 7-16-01-211.00
350 Concord Avenue	TM# 7-16-01-152.00
410 Concord Avenue	TM# 7-16-01-169.00
410 Beacon Street	TM# 7-16-01-096.00
350 Beacon Street	TM# 7-16-01-088.00

Section 2. To authorize the City Manager, as attested by the City Clerk, to execute a quitclaim deed conveying the above-referenced Parcels to the Housing Authority of the City of Spartanburg.

Section 3. This Ordinance shall become effective upon the date of enactment.

DONE AND RATIFIED this _____ day of _____, 2014.

MAYOR

ATTEST:

CITY CLERK

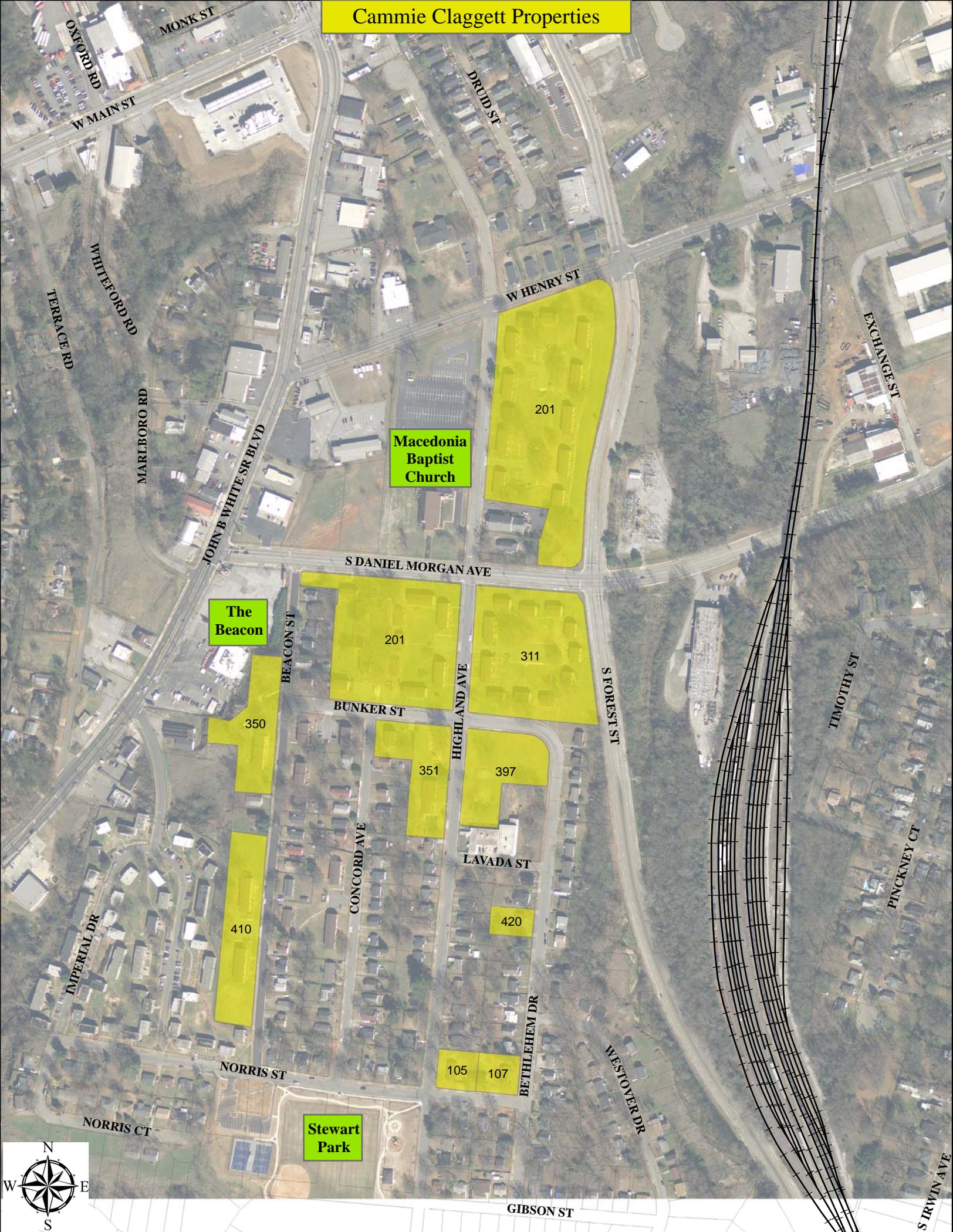
APPROVED AS TO FORM:

CITY ATTORNEY

___/___/___ 1st Reading

___/___/___ 2nd Reading

Cammie Claggett Properties



The Beacon

Macedonia Baptist Church

Stewart Park

350

410

201

351

311

397

420

105

107

201





REQUEST FOR CITY COUNCIL ACTION

TO: Mayor and Members of City Council
FROM: Ed Memmott, City Manager
SUBJECT: Honorary Street Naming Program
DATE: February 20, 2014

BACKGROUND: Staff has made modifications to the proposed Ordinance to establish an honorary street naming program. These changes are included (in bold type) in the Ordinance included in this agenda packet. Staff is proposing additional language to clarify Council's intent that honorary namings should be limited to individuals who have made substantial community contributions. Additionally, the proposed Ordinance has been amended to prevent honorary namings of any streets which are officially named after an individual and to prevent duplicative honorary naming of the same section of any street. Otherwise the proposed Ordinance is in the same form as presented to Council for first reading.

ACTION REQUESTED:

Second reading consideration of an Ordinance to create an honorary street naming program.

BUDGET AND FINANCIAL DATA:

Less than \$1,000 per year in expenses associated with this program.

ORDINANCE

TO CREATE A POLICY FOR HONORARY CITY STREET SIGNS

WHEREAS, the City of Spartanburg (“City”), on August 17, 1987, enacted a policy for naming streets, parks and other public places; and

WHEREAS, the City has never established a policy for an honorary City street sign program; and

WHEREAS, there are individuals who deserve to be honored for their significant contributions to the City and an honorary City street sign would provide such recognition.

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Members of Council of the City of Spartanburg, in Council assembled:

Section 1. An honorary City street sign program is authorized to be created as a means to honor individuals, living or dead, who have made significant, **objective** contributions to the City as determined by the City Council. The honorary City street sign program is more fully described below:

- A. Upon a written nomination made by a Council Member and endorsed by at least one additional Council Member, on a Nominating Form provided by City staff, Council may, by Resolution, authorize and direct City staff to install an honorary City street sign(s) beneath the official street name sign for any street identified or portion of a street which the City has maintenance responsibility or at other locations as allowed by South Carolina Department of Transportation. A majority vote by City Council is required for the passing of any such Resolution. Such honorary street sign shall meet the standards of the Manual of Uniform Traffic

Control Devices (“MUTCD”). No honorary street sign shall be identified on any official maps prepared or maintained by the City government or County government. **No streets which are officially named for an individual shall be considered for an honorary street sign. Further, there shall only be one honorary naming of any street or portion of a street.**

- B. Notification. The City shall mail written notice to property owners at least 10 days in advance of Council’s consideration of an honorary street naming. The City Manager, or his/her designee, shall mail this notice to property owners based on ownership information as available on Spartanburg County’s website as of the date that the City Manager receives a properly endorsed nomination from a City Council member. The City Manager, to the extent reasonably possible, will provide written notice to property owners in the general area where the honorary naming is proposed. The written notice will provide the date, time, and location for Council’s consideration of the honorary street location.
- C. Council Consideration and Public Input. When a nomination form is considered by Council, an opportunity will be extended to anyone in attendance who wants to make comment regarding the nomination. Comments will be limited to a maximum of 2 minutes per commenter and a maximum total of 10 minutes for each position. Council, by majority vote, may extend the time permitted for public comment.
- D. Number of Signs. The Mayor and each Council member are limited to making one nomination per any 12 month period. Only nominations which are approved by City Council will apply against this limitation. However, a specific nomination

which is denied by Council cannot be brought back for reconsideration for a period of 12 months. The City Manager will retain all nomination records and will advise any Council member regarding these limitations as to Council nominations for honorary namings.

E. Authority. The City Manager shall promptly proceed with the installation of the honorary signage and retains authority to determine the exact number of honorary signs and location(s) necessary.

F. Revocation. If for any reason the actions of the honoree results in violations of any local, state or federal laws or their actions contradict or diminish the City's missions, visions and values, the honorary City street sign will be removed at the City's sole discretion by a majority vote of Council.

Section 2. This Ordinance shall become effective immediately upon its enactment.

DONE AND RATIFIED this _____ day of _____, 2014.

Junie L. White, Mayor.

ATTEST:

Connie S. McIntyre, City Clerk.

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

____/____/____ First Reading

____/____/____ Second Reading



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Dennis R. Locke, Finance Director

SUBJECT: Ordinances Authorizing Refinancing of Certificates of Participation Series 2010 (Renaissance Park Conference Center)

DATE: February 20, 2014

We believe that there is potential to achieve significant savings by refinancing the Certificates of Participation Series 2010 (Renaissance Park Conference Center). This action would not increase the amount of these obligations or their duration – it would simply allow us to pay less interest over the remaining term. The following ordinance will provide authorization for us to proceed with a full competitive market offering of the proposed refinancing transaction. The process would be completed over the next six weeks after which we will know the actual amount of savings achieved.

CITY OF SPARTANBURG, SOUTH CAROLINA

SECOND SUPPLEMENTAL ORDINANCE NO. _____

A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF SPARTANBURG, SOUTH CAROLINA, SPECIAL OBLIGATION REFUNDING BONDS, SERIES 2014, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,250,000; DELEGATING THE AUTHORITY TO THE MAYOR AND CITY MANAGER TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO.

Enacted: March 17, 2014

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPARTANBURG,
SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. Definitions. The terms in this Section 1 and all words and terms defined in General Bond Ordinance No. 12-604.4-10.25.10 (the "General Bond Ordinance") enacted by the Council on October 25, 2010 (such General Bond Ordinance as from time to time amended or supplemented by Supplemental Ordinances being defined in the Ordinance as the "Ordinance") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Second Supplemental Ordinance have the respective meanings given to them in the Ordinance and in Section 1 hereof.

"2014 Cost of Issuance Account" shall mean the account of that name established pursuant to Section 8 hereof.

"2014 Debt Service Fund" shall mean the Fund established pursuant to Section 7 hereof to provide for the payment of the principal of and interest on the Series 2014 Bonds.

"Bond to be Refunded" shall mean the \$9,495,000 original principal amount City of Spartanburg, South Carolina, Special Obligation Refunding Bond (Hospitality Fee Pledge), Series 2010, dated November 18, 2010, and currently outstanding in the principal amount of \$8,725,000.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Custodian" shall mean The Bank of New York Mellon Trust Company, N.A., in Jacksonville, Florida, as Custodian of the 2014 Cost of Issuance Account.

"First Supplemental Ordinance" shall mean shall mean First Supplemental Ordinance No. 12-604.4-10.25.10 enacted by the Council of the City on October 25, 2010 which authorized the issuance of the Bond to be Refunded.

"General Bond Ordinance" shall mean General Bond Ordinance No. 12-604.4-10.25.10 duly enacted on October 25, 2010, by the Council of the City authorizing and providing for the issuance of Special Obligation Bonds (Hospitality Fee Pledge).

"Interest Payment Date" shall mean either April 1 of each year, or April 1 and October 1 of each year, as determined by the Mayor and City Manager pursuant to Section 11 hereof, commencing April 1, 2015 or such other date as the Mayor and City Manager may determine pursuant to Section 11 hereof.

"Paying Agent" shall mean The Bank of New York Mellon Trust Company, N.A., in Jacksonville, Florida, as Paying Agent for the Series 2014 Bonds.

"Principal Payment Date" shall have the meaning given to such term in Section 3(a).

"Registrar" shall mean The Bank of New York Mellon Trust Company, N.A., in Jacksonville, Florida, as Registrar for the Series 2014 Bonds.

"Second Supplemental Ordinance" shall mean shall mean this Second Supplemental Ordinance No. _____ enacted by the Council of the City authorizing the Series 2014 Bonds.

"Series 2014 Bonds" shall mean the City of Spartanburg, South Carolina, Special Obligation Refunding Bonds (Hospitality Fee Pledge), Series 2014, in the aggregate principal amount of not exceeding \$8,250,000 authorized to be issued hereunder.

Section 2. Certain Findings and Determinations.

The City hereby finds and determines:

(a) The Act and the Hospitality Tax Act authorize the City to refund any bonds or other obligations issued to finance or to aid in the financing of Tourism-Related Projects, including the Bond to be Refunded. This Second Supplemental Ordinance supplements the Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of such quoted term as defined and used in the Ordinance, and is enacted under and pursuant to the Ordinance.

(b) The Series 2014 Bonds constitute and are "Bonds" within the meaning of the quoted word as defined and used in the Ordinance.

(c) Upon the payment of the Bond to be Refunded, the Hospitality Fees pledged under the Ordinance will not be encumbered by any lien and charge thereon or pledge thereof, other than: (i) the pledge thereof under the 2005 Installment Sale Agreement for payment of amounts due with respect to the 2005 Certificates; and (ii) the pledge thereof created by the General Bond Ordinance and this Second Supplemental Ordinance for the payment and security of the Series 2014 Bonds.

(d) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute such Event of Default.

(e) The estimated cost of refunding the Bond to be Refunded does not exceed \$8,250,000.

(f) A Debt Service Reserve Fund will not be established for the Series 2014 Bonds.

(g) The Bond to be Refunded is subject to prepayment at the option of the City, as a whole at any time at the principal amount thereof and interest accrued on such principal amount to be redeemed to the date fixed for redemption, without payment of any premium or penalty.

(h) The City's Financial Advisor, Merchant Capital, L.L.C., has advised the City that based on current market conditions a substantial savings can be achieved by refunding Bond to be Refunded. The Council finds that it is in the best interest of the City to effect a refunding of the Bond to be Refunded because a savings can be effected through the refunding and redemption of such Bond to be Refunded. The Council recognizes, however, that current market conditions may change and that, as of the date of enactment of this Second Supplemental Ordinance, a determination cannot be made as to the amount of such savings, if any, will be realized through the

refunding of the Bond to be Refunded, and that the Mayor and City Manager of the City are authorized and empowered to determine certain matters relating to such refunding as set forth in Section 11 of this Second Supplemental Ordinance. If the rates of interest on the Series 2014 Bonds authorized by this Second Supplemental Ordinance do not result in satisfactory debt service savings, the Mayor and City Manager of the City will be empowered to reject bids for the purchase of the Series 2014 Bonds.

(i) The proceeds of the Series 2014 Bonds are being used for the purpose of (i) refunding the Bond to be Refunded; and (ii) paying the Costs of Issuance of the Series 2014 Bonds.

(j) It is necessary and in the best interest of the City to undertake the refunding of the Bond to be Refunded and to issue the Series 2014 Bonds in the principal amount of not exceeding \$8,250,000 in accordance with the Act, the Hospitality Tax Act, the Ordinance and this Second Supplemental Ordinance for the purposes set forth above.

Section 3. Authorization of Series 2014 Bonds.

(a) There is hereby authorized to be issued a Series of Bonds designated "City of Spartanburg, South Carolina, Special Obligation Refunding Bonds (Hospitality Fee Pledge), Series 2014" (the "Series 2014 Bonds"), in the aggregate principal amount of not exceeding \$8,250,000. The proceeds of the Series 2014 Bonds shall be used for the purposes set forth in Section 2(i) hereof. The Series 2014 Bonds shall be issued in a principal amount determined by the Mayor and City Manager which amount will be sufficient to provide for the payment of the principal of and accrued interest on the Bond to be Refunded to the date fixed for redemption thereof and all Costs of Issuance incurred in connection with the issuance of the Series 2014 Bonds.

Unless otherwise determined by the Mayor and City Manager pursuant to Section 11 hereof, the Series 2014 Bonds shall mature on April 1 in each of the years (the "Principal Payment Dates") and in the principal amounts, and bear interest at the rates per annum (calculated on the basis of a 360-day year comprised of twelve 30-day months), as determined by the Mayor and City Manager, pursuant to Section 11 hereof.

(b) Such of the Series 2014 Bonds as the Mayor and City Manager shall determine pursuant to Section 11 hereof shall be subject to mandatory redemption at a redemption price equal to the principal amount of the Series 2014 Bonds to be redeemed, together with interest accrued to the date of redemption, in the years and in the amounts determined by the Mayor and the City Manager, pursuant to Section 11 hereof.

At its option, to be exercised on or before the sixtieth (60th) day prior to any mandatory redemption date, the City may (i) deliver to the Registrar for cancellation Series 2014 Bonds which are subject to mandatory redemption in any aggregate principal amount desired or (ii) receive a credit in respect of its mandatory redemption obligation for any such Series 2014 Bonds which, prior to such date, have been purchased or redeemed (otherwise than through the operation of the mandatory redemption requirement) by the City and cancelled by the Registrar and not theretofore applied as a credit against any mandatory redemption obligation. Each Series 2014 Bond so delivered or previously purchased or redeemed shall be credited by the Registrar,

at one hundred percent (100%) of the principal amount thereof, to the obligation of the City on those respective mandatory redemption obligations in chronological order, and the principal amount of the Series 2014 Bonds to be redeemed by operation of the mandatory redemption requirement shall be accordingly reduced.

(c) The Registrar, without further authorization or direction from the City, shall give notice of all mandatory redemptions within the time periods and in the manner specified in Article V of the General Bond Ordinance.

(d) The Series 2014 Bonds shall originally be dated the date of delivery of the Series 2014 Bonds, or such other date as the Mayor and City Manager shall determine pursuant to Section 11 hereof, and shall be issued as fully registered Bonds in the denominations of \$5,000 and integral multiples of \$5,000. The Series 2014 Bonds shall be numbered and lettered in such a fashion as to maintain a proper record thereof.

(e) Principal of and redemption premium, if any, on the Series 2014 Bonds shall be payable at the designated corporate trust office of the Paying Agent. Interest on the Series 2014 Bonds shall be payable on each Interest Payment Date, in each case to the Holders as of the immediately preceding Record Date, such interest to be paid by the Paying Agent by check or draft mailed to each Holder at the address as it appears on the Books of Registry maintained at the designated corporate trust office of the Paying Agent, and in the case of a Holder of \$1,000,000 or more in principal amount of Series 2014 Bonds, by wire transfer to an account within the continental United States upon the timely receipt of a written request of such Holder. Payment of the principal of and interest on such Series 2014 Bonds may be payable to the Holder thereof without presentation and surrender of such Series 2014 Bonds; provided, the Holder agrees to surrender such Series 2014 Bonds before or within a reasonable time after the final maturity thereof.

(f) The Series 2014 Bonds shall be in substantially the form set forth in Exhibit A hereto, with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, dates, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by the Ordinance, including this Second Supplemental Ordinance. The Series 2014 Bonds shall be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk of the City.

(g) Unless otherwise agreed to by the Mayor and City Manager, the Series 2014 Bonds may be sold or transferred by the initial Purchaser only to purchasers ("Qualified Investors") who execute an investment letter delivered to the City, in form satisfactory to the City (the "Investment Letter"), containing certain representations, warranties and covenants as to the suitability of such purchasers to purchase and hold the Series 2014 Bonds. Such restriction shall be set forth on the face of the Series 2014 Bonds and shall be complied with by each transferee of the Series 2014 Bonds.

Section 4. Recording and Transfer of Ownership of the Series 2014 Bonds. The Series 2014 Bonds will be issued in fully-registered form, as a single Bond representing the entire principal amount of the Series 2014 Bonds, or as one Series 2014 Bond for each of the maturities of the Series 2014 Bonds. The City, the Paying Agent and the Registrar may treat the Holder as the sole and exclusive owner of the Series 2014 Bonds registered in its name for the purpose of payment of the principal of, and interest or premium, if any on the Series 2014 Bonds, giving any notice permitted or required to be given to the Purchaser or subsequent Bondholders under the General Bond Ordinance or this Second Supplemental Ordinance, registering the transfer of the Series 2014 Bonds, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever, and shall not be affected or by any notice to the contrary.

Section 5. Optional Redemption of Series 2014 Bonds. Such of the Series 2014 Bonds as may be determined by the Mayor and City Manager, pursuant to Section 11 hereof shall be subject to redemption prior to maturity, at the option of the City upon the written direction of the City, in whole or in part at any time in such order of their maturities as the City shall determine and by lot within a maturity, at the respective redemption prices with respect to each Series 2014 Bond, expressed as a percentage of principal amount of the Series 2014 Bonds to be redeemed, as shall be determined by the Mayor and City Manager pursuant to Section 11 hereof, together, in each such case, with the interest accrued on such principal amount to the date fixed for redemption. The Registrar shall give notice of redemption of the Series 2014 Bonds by first-class mail, postage prepaid, to the Holder thereof as shown on the Books of Registry of the City not less than five (5) Business Days prior to the date fixed for the redemption thereof.

Section 6. Payment of the Series 2014 Bonds. The Series 2014 Bonds, together with the interest thereon, shall be payable, in such coin or currency of the United States of America which at the time of such payment is legal tender for public and private debts, solely from the Hospitality Fees of the City in accordance with the provisions of the Ordinance and this Second Supplemental Ordinance. The Series 2014 Bonds shall be secured by a pledge of Hospitality Fees on a parity with the pledge of Hospitality Fees for payment of: (i) amounts due under the 2005 Installment Sale Agreement with respect to the 2005 Certificates; and (ii) other Bonds issued in compliance with the provisions of the General Bond Ordinance.

The Series 2014 Bonds do not constitute an indebtedness of the City within any State constitutional provisions (other than Article X, Section 14, Paragraph 10 of the South Carolina Constitution authorizing obligations payable solely from special sources not involving revenues from any tax or license) or statutory limitation. The Series 2014 Bonds shall not be a debt of the City, nor a charge, lien or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts or revenues thereof, other than the aforesaid Hospitality Fees of the City. No recourse shall be had for the payment of the Series 2014 Bonds or the interest thereon against the general fund of the City, nor shall the credit or taxing power of the City be deemed to be pledged thereto. The full faith, credit and taxing powers of the City are not pledged to the payment of the principal of or interest on the Series 2014 Bonds.

Section 7. Establishment of 2014 Debt Service Fund. In accordance with Section 6.6 of the General Bond Ordinance, the 2014 Debt Service Fund is hereby directed to be established by the Trustee on the date of the original delivery of the Series 2014 Bonds for the benefit of the Purchaser or subsequent Holders of the Series 2014 Bonds.

Section 8. 2014 Costs of Issuance Account. There is hereby created the "2014 Costs of Issuance Account". The 2014 Costs of Issuance Account shall be held by a Custodian selected by the City. The moneys on deposit in the 2014 Costs of Issuance Account shall be used and applied to the payment of Costs of Issuance of the Series 2014 Bonds. Withdrawals from the 2014 Costs of Issuance Account shall be made in the manner withdrawals from other funds of the City are made. Moneys on deposit in the 2014 Costs of Issuance Account may be invested upon direction of the City in Permitted Investments.

Section 9. Authorization to Effect Refunding; Redemption of the Bond to be Refunded.

The refunding of the Bond to be Refunded shall be effected with a portion of the proceeds of the Series 2014 Bonds which proceeds shall be used for the payment of the principal of such Bond to be Refunded as and when such Bond to be Refunded mature is called for redemption in accordance with the provisions of the First Supplemental Ordinance, at the redemption price thereof, together with accrued interest on such Bond to be Refunded to the date fixed for redemption.

Upon the delivery of the Series 2014 Bonds, the principal proceeds thereof, less Costs of Issuance, shall be paid directly to the Holder of the Bond to be Refunded in order to effect the redemption in whole of the Bond to be Refunded.

The Mayor and the City Manager, or either of them acting alone, are hereby authorized and directed for and on behalf of the City to execute such agreements and give such directions as shall be necessary to carry out the provisions of this Second Supplemental Ordinance, including the delivery of a notice of redemption of the Bond to be Refunded to the Holder thereof, and the provision of directions as to the transfer of proceeds of the Series 2014 Bonds to effect such redemption.

Section 10. Designation of Registrar and Paying Agent. The Council hereby designates The Bank of New York Mellon Trust Company, N.A. as Registrar for the Series 2014 Bonds. The Council hereby further designates The Bank of New York Mellon Trust Company, N.A. as Paying Agent for the Series 2014 Bonds. The Registrar and Paying Agent shall signify their acceptances of their respective duties upon delivery of the Series 2014 Bonds.

Section 11. Sale and Issuance of Series 2014 Bonds.

(a) The Mayor and City Manager, or either of them acting alone, are hereby authorized and empowered to undertake any one or more of the following actions: (a) determine the original issue date of the Series 2014 Bonds; (b) determine the aggregate principal amount of the Series 2014 Bonds, if less than authorized by this Second Supplemental Ordinance; (c) determine the principal amount of each maturity of the Series 2014 Bonds; (d) determine the Interest Payment

Date, including the initial Interest Payment Date; (e) determine the optional redemption date and terms of redemption of the Series 2014 Bonds; (f) determine the interest rates for the Series 2014 Bonds; (g) determine the Series 2014 Bonds to be subject to mandatory and optional redemption; (h) determine the redemption prices of the Series 2014 Bonds subject to optional redemption; (i) approve the form of a Request for Proposals under which the Series 2014 Bonds will be offered for sale by private placement with a bank or other financial institution, (j) approve the form of a Private Placement Offering Memorandum to be distributed to various banks and other financial institutions as the Finance Director of the City determines; (k) determine the date and time for receipt of bids under the Request for Proposals; (l) award the sale of the Series 2014 Bonds to the successful bidder therefor in accordance with the terms of the Request for Proposals; and (m) agree to any other terms, provisions and matters necessary or advisable to effect the issuance of the Series 2014 Bonds.

(b) A copy of this Second Supplemental Ordinance shall be filed with the minutes of the meeting at which this Second Supplemental Ordinance was enacted.

(c) The Council hereby authorizes and directs all of the officers and employees of the City to carry out or cause to be carried out all obligations of the City hereunder and to perform such other actions as they shall consider necessary or advisable in connection with the issuance, sale and delivery of the Series 2014 Bonds.

Section 12. Disposition of Proceeds of Series 2014 Bonds and Certain Other Moneys.
The proceeds derived from the sale of the Series 2014 Bonds shall be used for the following purposes:

(a) Proceeds derived from the sale of the Series 2014 Bonds necessary to provide for the redemption of the Bond to be Refunded shall be transferred to an account as directed by the Holder of the Bond to be Refunded.

(b) The remainder of the proceeds of the Series 2014 Bonds shall be deposited with the Custodian at the direction of a City Representative into the 2014 Costs of Issuance Account established in Section 8 hereof to be used for and applied to the payment of Costs of Issuance in the manner provided in that section.

The respective amounts specified in this Section 12 shall be determined by the City upon delivery of the Series 2014 Bonds.

Section 13. Federal Tax Covenant. The City hereby covenants and agrees with the Purchaser or subsequent Holders of the Series 2014 Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Series 2014 Bonds to become includable in the gross income of the Purchaser or subsequent Bondholders for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Series 2014 Bonds and that no use of the proceeds of the Series 2014 Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Series 2014 Bonds would have caused the Series 2014 Bonds to be "arbitrage bonds," as defined in the Code; and to that end the City hereby shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the Code and any regulations promulgated thereunder so long as the Series 2014 Bonds are Outstanding;

(b) establish such funds, make such calculations and pay such amounts, if necessary, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebate of certain amounts to the United States; and

(c) make such reports of such information at the times and places required by the Code.

The Mayor and the City Manager, or either of them acting alone, are hereby authorized to adopt written procedures to ensure the City's compliance with federal tax matters relating to the Series 2014 Bonds.

Section 14. Series 2014 Bonds Designated Qualified Tax-Exempt Obligations. The City covenants that, in accordance with the applicable provisions of the Code, the Series 2014 Bonds are designated as "qualified tax-exempt obligations" as defined in Section 265 of the Code. The City and all subordinate entities thereof do not anticipate issuing more than \$10,000,000 in tax-exempt bonds or other tax-exempt obligations in calendar year 2014 other than private activity bonds (other than private activity bonds which are "qualified 501(c)(3) bonds" as defined in the Code). The City represents that the sum of all tax-exempt obligations (other than such private activity bonds) issued by the City and all subordinate entities thereof during calendar year 2014 is not reasonably expected to exceed \$10,000,000.

Section 15. Continuing Disclosure. So long as and to the extent required pursuant to Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended ("Section 11-1-85"), the City covenants that it will file with a central repository for availability in the secondary bond market when requested:

(i) An annual independent audit, within 30 days of the City's receipt of the audit; and

(ii) Event-specific information within 30 days of an event adversely affecting more than 5% percent of Hospitality Fees or the City's tax base.

The only remedy for failure by the City to comply with the covenant of this Section 15 shall be an action for specific performance of this covenant; and failure to comply shall not constitute a default or an "Event of Default" under the Ordinance or this Second Supplemental Ordinance. The Trustee shall have no responsibility to monitor the City's compliance with this covenant. The City specifically reserves the right to amend or delete this covenant in order to reflect any change in Section 11-1-85, without the consent of the Trustee, the Purchaser or subsequent Holders of any Series 2014 Bonds.

Section 16. Further Actions. The Mayor, the City Manager, the Assistant City Manager, the Finance Director of the City, the City Attorney and the City Clerk are hereby authorized and directed to take any and all such further actions as shall be deemed necessary or desirable in order to effectuate issuance of the Series 2014 Bonds and the refunding of the Bond to be Refunded.

Section 17. Headings. The headings and titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Second Supplemental Ordinance.

Section 18. Notices. All notices, certificates or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by registered mail, postage prepaid, or given when dispatched by telegram addressed as follows:

If to the City:

City of Spartanburg, South Carolina
Attn: City Manager
145 West Broad Street
Spartanburg, South Carolina 29306

If to the Custodian:

The Bank of New York Mellon Trust Company, N.A.
Attn: Corporate Trust
10161 Centurion Parkway
Jacksonville, Florida 32256

If to the Paying Agent:

The Bank of New York Mellon Trust Company, N.A.
Attn: Corporate Trust
10161 Centurion Parkway
Jacksonville, Florida 32256

If to the Registrar:

The Bank of New York Mellon Trust Company, N.A.
Attn: Corporate Trust
10161 Centurion Parkway
Jacksonville, Florida 32256

If to the Trustee:

The Bank of New York Mellon Trust Company, N.A.
Attn: Corporate Trust
10161 Centurion Parkway
Jacksonville, Florida 32256

The City, the Custodian, the Paying Agent, the Registrar, and the Trustee may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Each of the Registrar, the Custodian, the Paying Agent and the Trustee agrees to accept and act upon instructions or directions pursuant to this Second Supplemental Ordinance sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Registrar, the Custodian, the Paying Agent and the Trustee, as applicable, shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the City elects to give the Registrar, the Custodian, the Paying Agent or the Trustee e-mail or facsimile instructions (or instructions by a similar electronic method) and the Registrar, the Custodian, the Paying Agent and the Trustee, as applicable, in its discretion elects to act upon such instructions, the Registrar's, the Custodian's, the Paying Agent's and the Trustee's understanding, as applicable, of such instructions shall be deemed controlling. The Registrar, the Custodian, the Paying Agent and the Trustee, as applicable, shall not be liable for any losses, costs or expenses arising directly or indirectly from the Registrar's, the Custodian's, the Paying Agent's and the Trustee's, as applicable, reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The City agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Registrar, the Custodian, the Paying Agent and the Trustee, including without limitation the risk of the Registrar, the Custodian, the Paying Agent and the Trustee acting on unauthorized instructions, and the risk of interception and misuse by third parties.

Section 19. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the City, and any part of any ordinance or resolution, inconsistent with this Second Supplemental Ordinance are hereby repealed to the extent of such inconsistency.

Section 20. Amendment to General Bond Ordinance. The amendment to the General Bond Ordinance hereinafter set forth shall not become effective until the Bond to be Refunded is no longer Outstanding. Any Bonds, including the Series 2014 Bonds, issued after the date of enactment of this Second Supplemental Ordinance shall contain a reference to the amendment herein made.

Section 9.1 of the General Bond Ordinance is hereby amended by adding the following text at the end of such section:

The City expressly authorizes the underwriter or purchaser of any Series of Bonds to assent to and consent to such amendments to the General Bond Ordinance as contemplated by this section in the same manner as the Holders of the Bonds.

Section 21. Effective Date. This Second Supplemental Ordinance shall become effective upon its enactment.

[Signature Page Follows]

Enacted by the City Council of the City of Spartanburg, South Carolina, this 17th day of March, 2014.

CITY OF SPARTANBURG, SOUTH CAROLINA

Mayor

(SEAL)

ATTEST:

Clerk

First Reading: February 24, 2014

Second Reading: March 17, 2014

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

City Attorney, City of Spartanburg, South Carolina

[Execution Page]

FORM OF SERIES 2014 BOND

TRANSFER RESTRICTED

THIS BOND MAY BE SOLD OR TRANSFERRED IN WHOLE OR IN PART ONLY TO A PURCHASER OR TRANSFEREE CONSTITUTING A QUALIFIED INVESTOR (AS SUCH TERM IS DEFINED IN THE HEREAFTER DEFINED SECOND SUPPLEMENTAL ORDINANCE UNDER WHICH THIS BOND IS ISSUED), AND ONLY UPON SUCH QUALIFIED INVESTOR DELIVERING TO THE CITY AN INVESTMENT LETTER IN THE FORM REQUIRED UNDER THE SECOND SUPPLEMENTAL ORDINANCE

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF SPARTANBURG
SPECIAL OBLIGATION REFUNDING BOND (HOSPITALITY FEE PLEDGE)
SERIES 2014

The City of Spartanburg, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to _____, in _____, _____ (the "Purchaser"), its successors or registered assigns, but solely from the Hospitality Fees hereinafter mentioned and not otherwise, the principal amount of \$_____ together with interest, but solely from such Hospitality Fees and not otherwise, on the outstanding principal balance hereof at the rate of _____% per annum (the "Interest Rate") until this Bond matures. This Bond is payable in annual installments on April 1 in each of the years and in the principal amounts as follows:

[Insert principal repayment schedule]

Interest on the unpaid principal balance of this Bond is payable on _____, _____, and [semi]annually thereafter on April 1 [and October 1] of each year. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17, AND TITLE 6, CHAPTER 1, ARTICLE 7, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY STATE CONSTITUTIONAL PROVISION (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE) OR STATUTORY LIMITATION. THIS BOND SHALL NOT BE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR UPON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE

AFORESAID HOSPITALITY FEES OF THE CITY PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY, NOR SHALL THE CREDIT OR TAXING POWER OF THE CITY BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

Both the principal of and interest on this Bond are payable at the principal office of The Bank of New York Mellon Trust Company, N.A., in East Syracuse, New York, without presentation and surrender of this Bond, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however the holder of this Bond agrees to surrender this Bond before or within a reasonable time after the final maturity of this Bond.

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

This Bond is issued by the City for the purpose of refunding the City of Spartanburg, South Carolina, Special Obligation Refunding Bond (Hospitality Fee Pledge), Series 2010, dated November 18, 2010 (the "Bond to be Refunded"), and paying costs of issuance. This Bond is issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Article X, Section 14(10) of the South Carolina Constitution, Title 6, Chapter 17 and Title 6, Chapter 1, Article 7 of the Code of Laws of South Carolina 1976, as amended (collectively, the "Act"). This Bond is issued under and pursuant to a General Bond Ordinance (the "General Bond Ordinance") of the City Council of the City duly enacted on October 25, 2010, and as supplemented by Second Supplemental Ordinance No. ____ of the Council enacted on March 17, 2014, (the "Second Supplemental Ordinance," and together with the General Bond Ordinance, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The holders of this Bond and the series of Bonds of which it is one are deemed to have consented to the amendment to the General Bond Ordinance set forth in the Second Supplemental Ordinance. Such amendment provides that the underwriter or purchaser of any Series of Bonds is authorized to assent to and consent to an amendment to the General Bond Ordinance in the same manner as the Holders of the Bonds.

This Bond and the interest thereon is a special obligation of the City and are secured by and payable solely from, and secured equally and ratably by a pledge of and lien upon, the Hospitality Fees of the City on a parity with any pledge of and lien upon Hospitality Fees for payment of: (i) amounts due under the 2005 Installment Sale Agreement with respect to the 2005 Certificates; and (ii) other Bonds hereafter issued in compliance with the provisions of the General Bond Ordinance (as such terms are defined in the General Bond Ordinance).

This Bond shall be subject to prepayment or redemption at the option of the City, as a whole or in part at any time at the principal amount thereof and interest accrued on such principal amount to be redeemed to the date fixed for redemption, without payment of any premium or penalty. In the event this Bond is called for redemption, the Registrar shall give notice of redemption hereof by first-class mail, postage prepaid, to the Holder hereof as shown on the Books of Registry of the City not less than five (5) Business Days prior to the date fixed for the redemption thereof.

The Bond Ordinance contains provisions defining terms; sets forth the Hospitality Fees pledged for the payment of the principal of and interest on this Bond and the Bonds of other series which have heretofore or may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which have been issued or upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City in certain cases, without the consent of any Bondholders (as defined in the General Bond Ordinance) and, in other cases, with the written consent of the holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds of the series of which this Bond is one then outstanding under the Bond Ordinance (including the Bonds of the series of which this Bond is one); provided, that no such amendment or modification shall (i) extend the time of payment of principal of or the interest on any Bond (as defined in the General Bond Ordinance), or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, or (ii) give to any Bond or Bonds (as defined in the General Bond Ordinance) any preference over any other Bond or Bonds, or (iii) authorize the creation of any pledge prior to, or except as provided herein for the issuance of Series of Bonds (as defined in the General Bond Ordinance), on a parity with the pledge afforded by the Bond Ordinance, or (iv) reduce the percentage in principal amount of the Bonds (as defined in the General Bond Ordinance) required to assent to or authorize any such modification to the Bond Ordinance.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This Bond has been designated a "qualified tax-exempt obligation" pursuant to Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986, as amended.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the City of Spartanburg, South Carolina, has caused this bond to be executed in its name by the manual signature of the Mayor of the City and attested by the manual signature of the City Clerk of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF SPARTANBURG, SOUTH
CAROLINA

(SEAL) By: _____
Mayor

ATTEST:

City Clerk

(FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION)

This bond is the bond described in the within-mentioned Ordinance of City of Spartanburg, South Carolina.

The Bank of New York Mellon Trust Company, N.A.,
Registrar

Dated: _____ By: _____
Authorized Officer



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Storm Water Manager
SUBJECT: Brandywine Lane Culvert Improvement Project
DATE: February 18, 2014

BACKGROUND

Staff received bids for the Brandywine Lane Culvert Improvement Project on February 4, 2014. This project consists of removal and replacement of approximately 108 feet of storm drainage pipe from under Brandywine Lane near the intersection with Mountainbrook Lane. A second component of this project consists of removal and replacement of 36 feet of storm drainage pipe from under Brandywine Lane.

The following bids were submitted:

McAbee Contracting, Inc. (Inman, S.C.)	\$25,246
P.A.R. Grading & Hauling, Inc. (Spartanburg, S.C.)	\$48,218
Raby Construction Co. (Greenville, S.C.)	\$51,729.63
Larry Green Grading, Inc. (Lyman, S.C.)	\$53,041.08
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$56,640
Upstate Grading & Engineering, Inc. (Spartanburg, S.C.)	\$100,970

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, McAbee Contracting, Inc is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. A portion of Brandywine Lane will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

ACTION REQUESTED:

Allow staff to accept the bid from McAbee Contracting, Inc and authorize the City Manager to enter into a contract with, McAbee Contracting, Inc for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 25,246 from the Storm Water Utility fund will be used to complete the project.

Brandywine Lane Culvert Improvement Project





REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Storm Water Manager
SUBJECT: Hillbrook Drive II Culvert Improvement Project
DATE: February 18, 2014

BACKGROUND

Staff received bids for the replacement of a culvert on Hillbrook Drive. This project consists of removal and replacement of approximately 60 feet of storm drainage pipe from the 200 block of Hillbrook Drive.

The following bids were submitted:

McAbee Contracting, Inc. (Inman, S.C.)	\$25,496
Larry Green Grading, Inc. (Lyman, S.C.)	\$36,961.50
P.A.R. Grading & Hauling, Inc. (Spartanburg, S.C.)	\$37,780
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$45,530
Upstate Grading & Engineering, Inc. (Spartanburg, S.C.)	\$122,700

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, McAbee Contracting, Inc is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. A portion of Hillbrook Drive will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

ACTION REQUESTED:

Allow staff to accept the bid from McAbee Contracting, Inc and authorize the City Manager to enter into a contract with, McAbee Contracting, Inc for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 25,496 from the Storm Water Utility fund will be used to complete the project.

Hillbrook Drive Culvert Improvement Project





REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Darwin Simpson, Airport Director
SUBJECT: Runway Extension & Runway Safety Area (RSA)
DATE: February 18, 2014

BACKGROUND:

For many years, the City has sought to improve the facilities and infrastructure at the Downtown Memorial Airport. A major emphasis has been given to improving the safety area at the north end of the runway. The Federal Aviation Administration (“FAA”) has indicated that it will provide funding to the City to construct a runway safety area, a runway extension, and runway resurfacing over the next few years. These improvements will allow the airport to serve larger aircraft and improve the economic impact the airport provides to the Spartanburg Community.

ACTION REQUESTED:

Staff wants to brief Council on this project.

BUDGET AND FINANCE DATA:

95% of project costs will be funded by the FAA and the South Carolina Aeronautics Commission. The City will be responsible for funding 5% of project costs. Total project costs over the next 2-3 years could total approximately \$14 million resulting in a local match of approximately \$700,000 as the work progresses. The City Manager and Assistant City Manager will be prepared to brief Council on options to fund the local match.