

**AGENDA**  
**COMMON COUNCIL**  
**October 11, 2022**  
**6:30 P.M.**

1. Call meeting to order.
2. Reading and approval of minutes from the regular Council meeting dated September 27, 2022.
3. To conduct a public hearing regarding the proposed enactment upon second and final reading of a proposed Ordinance entitled:

AN ORDINANCE AUTHORIZING AND APPROVING THE ESTABLISHMENT BY THE CITY OF BECKLEY (THE "CITY") OF A PENSION FUNDING PROGRAM AND THE FUNDING OF SUCH PROGRAM WITH THE PROCEEDS OF TAXABLE PENSION FUNDING REVENUE BONDS ("THE BONDS") ISSUED BY THE BECKLEY BUILDING COMMISSION (THE "BUILDING COMMISSION"); AUTHORIZING AND APPROVING THE ISSUANCE BY THE BUILDING COMMISSION OF THE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$37,000,000 TO FINANCE THE COST OF A PENSION FUNDING PROGRAM INCLUDING THE FUNDING OF A DEBT SERVICE RESERVE FUND FOR THE BONDS, IF REQUIRED, THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AND TO PAY OTHER COSTS IN CONNECTION THEREWITH, INCLUDING THE ESTABLISHMENT OF A CONTINGENCY RESERVE FUND WITH RESPECT TO THE BONDS AND, IF DEEMED ADVISABLE, THE PURCHASE OF BOND INSURANCE IN CONNECTION WITH THE BONDS; AUTHORIZING AND APPROVING THE ACQUISITION OF REAL PROPERTY AND ASSOCIATED IMPROVEMENTS BY THE CITY FROM THE BECKLEY BUILDING COMMISSION; THE LEASING BY THE CITY, AS LESSOR, OF CERTAIN REAL PROPERTY WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH (COLLECTIVELY THE "LEASED PROPERTY") TO THE BUILDING COMMISSION, AS LESSEE, PURSUANT TO A SITE LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING AND APPROVING A LEASE AGREEMENT BETWEEN THE BUILDING COMMISSION, AS LESSOR, AND THE CITY, AS LESSEE, WITH RESPECT TO

THE REAL PROPERTY (THE "LEASE") TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A CONTINUING DISCLOSURE AGREEMENT, AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT BETWEEN THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS, AND ACKNOWLEDGED AND AGREED TO BY THE CITY; APPROVING THE ADOPTION BY THE CITY OF CONTINUING DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE CONTINUING DISCLOSURE AGREEMENT TO BE EXECUTED BY THE CITY IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

4. To consider for enactment upon second and final reading following a public hearing thereon of a proposed Ordinance entitled:

AN ORDINANCE AUTHORIZING AND APPROVING THE ESTABLISHMENT BY THE CITY OF BECKLEY (THE "CITY") OF A PENSION FUNDING PROGRAM AND THE FUNDING OF SUCH PROGRAM WITH THE PROCEEDS OF TAXABLE PENSION FUNDING REVENUE BONDS ("THE BONDS") ISSUED BY THE BECKLEY BUILDING COMMISSION (THE "BUILDING COMMISSION"); AUTHORIZING AND APPROVING THE ISSUANCE BY THE BUILDING COMMISSION OF THE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$37,000,000 TO FINANCE THE COST OF A PENSION FUNDING PROGRAM INCLUDING THE FUNDING OF A DEBT SERVICE RESERVE FUND FOR THE BONDS, IF REQUIRED, THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AND TO PAY OTHER COSTS IN CONNECTION THEREWITH, INCLUDING THE ESTABLISHMENT OF A CONTINGENCY RESERVE FUND WITH RESPECT TO THE BONDS AND, IF DEEMED ADVISABLE, THE PURCHASE OF BOND INSURANCE IN CONNECTION WITH THE BONDS; AUTHORIZING AND APPROVING THE ACQUISITION OF REAL PROPERTY AND ASSOCIATED IMPROVEMENTS BY THE CITY FROM THE BECKLEY BUILDING COMMISSION; THE LEASING BY THE CITY, AS LESSOR, OF CERTAIN REAL PROPERTY WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH (COLLECTIVELY THE "LEASED PROPERTY") TO THE BUILDING COMMISSION, AS LESSEE, PURSUANT TO A SITE LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING

AND APPROVING A LEASE AGREEMENT BETWEEN THE BUILDING COMMISSION, AS LESSOR, AND THE CITY, AS LESSEE, WITH RESPECT TO THE REAL PROPERTY (THE "LEASE") TO BE EXECUTED AND DELIVERED BY AN AUTHORIZED OFFICER OF THE CITY; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE MAYOR OF THE CITY OF A CONTINUING DISCLOSURE AGREEMENT, AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT BETWEEN THE BUILDING COMMISSION AND THE PURCHASER OF THE BONDS, AND ACKNOWLEDGED AND AGREED TO BY THE CITY; APPROVING THE ADOPTION BY THE CITY OF CONTINUING DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE CONTINUING DISCLOSURE AGREEMENT TO BE EXECUTED BY THE CITY IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

5. Old Business.
6. New Business.
7. Public Comments.
8. Adjournment.

**The regular Council meeting for the City of Beckley scheduled for October 11, 2022, at 6:30 p.m. will be in Council Chambers for Council members. Due to COVID, the public may join the meeting by computer or phone using the weblink or phone number provided on the City's webpage or Facebook page the day of the Council meeting.**