



Agenda Action Form Overview

Public Hearing to Adopt the Resolution related to Not to Exceed \$40,000,000 Revenue Bonds Series 2024 (Research Triangle Institute).

Background/Justification

The Board is requested to hold a public hearing for purposes of meeting the requirements of the Public Finance Authority and Section 147(f) of the Internal Revenue Code, as amended, regarding the possible issuance by the Public Finance Authority of one or more series of its Revenue Bonds (Research Triangle Institute), Series 2024 (the "Bonds") to finance, including through reimbursement, the acquisition and installation of cloud-based enterprise resource planning software.

The Project is or will be owned and operated by RTI and accessed through its principal office at 3040 Cornwallis Road, Durham, North Carolina 27709. Because RTI's principal office is located in the County at 3040 Cornwallis Road, Durham, North Carolina 27709, the Board of Commissioners can satisfy the requirements of the Code and Wisconsin law by adopting a resolution "approving in principle" the issuance of the Bonds.

As noted in the public hearing notice and approval document, the county is not responsible for the repayment of these bonds. The approval is solely to satisfy the tax code's public approval requirements. The County also approved the 2010 Bonds, which were issued through the Durham County Industrial Facilities and Pollution Control Financing Authority.

The tax code requires that a public hearing be held regarding the issuance of the Bonds in the borrower's geographic location. RTI is in Durham County, and therefore, the hearing and approval need to be from the Durham County Commissioners.

Public Finance Authority ("PFA") is a governmental entity established under Section 66.0304 of the Wisconsin State Statutes, authorized to issue tax-exempt, taxable, and tax credit conduit bonds for public and private entities throughout all 50 states. PFA is jointly sponsored by the National Association of Counties, National League of Cities, Wisconsin Counties Association, and League of Wisconsin Municipalities (the "Sponsors").

Policy Impact

There is no policy impact. The resolution is consistent with past actions. It does not require an exception to Board policy.

Procurement Background

N/A

Fiscal Impact

By adopting such a resolution, the County will have no liability whatsoever for the payment of principal, premium, if any, or interest on the Bonds and the Bonds will not affect the County's legal debt limit. RTI will be solely responsible for the repayment of the Bonds. Adoption of this resolution is solely to satisfy the federal tax code and Wisconsin law requirements.

Recommendation

The County Manager and the Interim Chief Financial Officer recommend that the Board adopt the attached resolution, hire the financing team as identified in the resolution, and call a public hearing for July 8, 2024.