

item # 17A

**City of Carson City
Agenda Report**

Date Submitted: 6/24/2009

Agenda Date Requested: 7/16/2009

Time Requested: 10 minutes

To: Mayor and Supervisors

From: Nick Providenti, Finance Director

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance authorizing the issuance of a medium-term obligation to finance the cost of ambulances, sewer improvements and storm drainage improvements for the City; specifying the details for the "Carson City, Nevada, general obligation (limited tax) various purpose medium-term bond, series 2009" in the maximum principal amount of \$2,900,000; specifying the terms and conditions of such medium-term bond, the method of paying the bond and its form; and providing other matters properly relating thereto.

Staff Summary: The City has determined that the bonds should be issued for the purpose of financing the cost of ambulances, sewer improvements, and storm drainage improvements for the City.

Type of Action Requested: (check one)

☐ Resolution

☒ Ordinance

☐ Formal Action/Motion

☐ Other (Specify)

Does this action require a Business Impact Statement: () Yes (xx) No

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance authorizing the issuance of a medium-term obligation to finance the cost of ambulances, sewer improvements and storm drainage improvements for the City; specifying the details for the "Carson City, Nevada, general obligation (limited tax) various purpose medium-term bond, series 2009" in the maximum principal amount of \$2,900,000; specifying the terms and conditions of such medium-term bond, the method of paying the bond and its form; and providing other matters properly relating thereto.

Explanation for Recommended Board Action: The Board hereby determines that it may authorize and incur the obligations, upon terms satisfactory to the City at the time of the incurrence of the obligations, to pay the cost of the Project, together with the costs incident to the authorization, incurrence and sale of the obligations, and may take all further action which is necessary or desirable in connection therewith.

Applicable Statute, Code, Policy, Rule or Regulation: NRS Chapter 244 and 268, NRS 350.020 and 7.030 and 2.275 of the Charter

Fiscal Impact: \$3,689,310 including principal and interest.

Explanation of Impact: See attached debt service schedule.

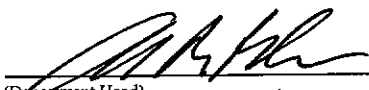
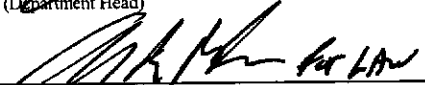
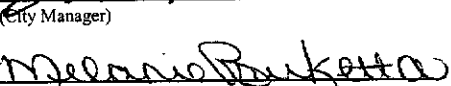
Funding Source: Drainage fund service charges, sewer fund and fleet fund ending fund balance.

Alternatives: Elect not to borrow money and accumulate funds to do the projects on a pay as you

go basis.

Supporting Material: Ordinance and Debt Service Schedules.

Prepared By: Nick Providenti

Reviewed By:  Date: 7-7-09
(Department Head)
:  Date: 7-7-09
(City Manager)
:  Date: 7-7-09
(District Attorney)
:  Date: 7/7/09
(Finance Director)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____

(Vote Recorded By)



JIM GIBBONS
Governor

THOMAS R. SHEETS
Chair, Nevada Tax Commission

DINO DICIANNO
Executive Director

STATE OF NEVADA
DEPARTMENT OF TAXATION

Web Site: <http://tax.state.nv.us>

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7937
Phone: (775) 684-2000 Fax: (775) 684-2020

LAS VEGAS OFFICE

Grant Sawyer Office Building, Suite 1300
555 E. Washington Avenue
Las Vegas, Nevada, 89101
Phone: (702) 486-2300 Fax: (702) 486-2373

RENO OFFICE

4600 Kietzka Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 688-1295
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HENDERSON OFFICE

2550 Paseo Verde Parkway Suite 180
Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

June 19, 2009

Nick Providenti, Finance Director
Carson City
201 North Carson Street, Suite #3
Carson City, NV 89701

Re: Medium-term Financing Request

Dear Mr. Providenti:

The Department of Taxation has received the request from the Board of Supervisors for approval of medium-term financing in the amount not to exceed \$2,900,000. Proceeds from the financing will be used to finance the costs of improvements to the Sewer System and Storm Drainage System; and to purchase emergency vehicles. The term of the loan is for ten years and the interest rate will not exceed by more than 3% the "Index of Twenty Bonds".

The request has been reviewed as required by NRS 350.089 and is approved.

Pursuant to NRS 350.089, the approval must be recorded in the minutes of the governing body, and the financing must be secured within eighteen months of the receipt of this approval.

If you have any questions regarding this matter, please do not hesitate to call Penny Hampton in the Local Government Finance Section at (775) 684-2092.

Sincerely,

Dino DiCianno, Executive Director
Department of Taxation

DD:ph

cc: John Peterson
Jennifer Stern
Scott Nash

Summary- An ordinance specifying the details for the issuance of a medium-term bond in the maximum principal amount of \$2,900,000.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A MEDIUM-TERM OBLIGATION TO FINANCE THE COST OF AMBULANCES, SEWER IMPROVEMENTS AND STORM DRAINAGE IMPROVEMENTS FOR THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM BOND, SERIES 2009" IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,900,000; SPECIFYING THE TERMS AND CONDITIONS OF SUCH MEDIUM-TERM BOND, THE METHOD OF PAYING THE BOND AND ITS FORM; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, on June 4, 2009, the Board of Supervisors (the "Board") of Carson City, Nevada (the "City") adopted a resolution authorizing a medium-term obligation in the maximum principal amount of \$2,900,000 (the "Authorization Resolution"), after published notice and a public hearing as provided in NRS 350.087 to 350.095, inclusive (the "Project Act"); and

WHEREAS, as provided in the Project Act, the Authorization Resolution and supporting documents were submitted to the Department of Taxation of the State of Nevada (the "Department") for approval; and

WHEREAS, the City received the approval of the Executive Director of the Department for such medium-term obligation, a copy of such approval being attached as follows:

(Attach Tax Department Approval)

WHEREAS, the written approval of the Department as set forth in the preambles hereto is hereby recorded in the minutes of the Board as required by the Project Act; and

WHEREAS, the City has not previously utilized any of the authority so approved by the Department; and

WHEREAS, the Board hereby determines that the medium-term obligation herein authorized to be issued shall be designated the "Carson City, Nevada, General Obligation (Limited Tax) Various Purpose Medium-Term Bond, Series 2009" (the "Bond") and shall be issued as a single bond in the maximum principal amount of \$2,900,000; and

WHEREAS, the City Finance Director, and in his absence, the City Manager is authorized to receive offers for the purchase of the Bond, to bear interest at the rate(s) set forth in a certificate of the City Finance Director, or in his absence, the City Manager (the "Certificate"), which rate(s) are not in excess of 3% over the "Index of Twenty Bonds" most recently published before bids for the Bond are received, and otherwise to be on the terms specified herein; and

WHEREAS, the Board hereby elects to have the provisions of NRS Chapter 348 (the "Supplemental Bond Act") and NRS 350.500 to 350.720, inclusive (the "Bond Act") apply to the Bond; and

WHEREAS, the Board does hereby declare that the Bond is being issued pursuant to the provisions of Chapter 213, Statutes of Nevada 1969 (the "Charter"), the Project Act, the Bond Act and the Supplemental Bond Act; and

WHEREAS, the Board has determined and hereby declares that the limitations in the Bond Act have been met and this determination shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

Section 1. Short Title. This ordinance shall be known and may be cited as the "2009 Medium-Term Bond Ordinance" (the "Ordinance").

Section 2. Acceptance of Purchase Proposal. The City Finance Director, and in his absence, the City Manager is authorized to accept the offer of the lowest responsible bidder for the Bond (the "Purchaser") by the execution of the Certificate and on the other terms provided herein.

Section 3. Necessity of Project and Bond. For the purpose of providing funds to finance the cost of ambulances, sewer improvements and storm drainage improvements for the City as described in the Authorization Resolution (the "Project"), the City shall issue the Bond in the principal amount as set forth in the Certificate (not to exceed \$2,900,000). The Board hereby finds that the useful life of the assets financed with the Bond is not less than the term of the Bond.

Section 4. Bond Details. The Bond shall be dated as of the date of delivery thereof. The principal of the Bond shall be payable on the dates and in the amounts as set forth in the Certificate (not to exceed 10 years from the date of delivery of the Bond). Except as otherwise provided herein, each principal installment shall bear interest, calculated on the basis of a 360-day year of twelve 30-day months, from the date of the Bond at the rate(s) per annum set forth in the Certificate, payable semiannually on March 1 and September 1, commencing on March 1, 2010.

The installments of principal and interest prior to final payment shall be payable to the registered owner of the Bond as shown on the registration records kept by the City Treasurer in Carson City, Nevada, as registrar for the Bond (the "Registrar"), and the registration panel appended to the Bond. The final installment of principal and interest shall be payable upon presentation and surrender of the Bond at the office of the City Treasurer in Carson City, Nevada, as paying agent for the Bond (the "Paying Agent") or such other office as designated by the Paying Agent. If any installment of principal of the Bond shall not be paid on the date due, it shall continue to draw interest at the interest rate set forth in the Certificate until the principal thereof is paid in full. Payment of principal of and interest on the Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day). The Paying Agent may make payments of principal and interest on the Bond by such alternative means as may be mutually agreed to between the registered owner of such Bond and the Paying Agent. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

The installments of principal of the Bond, or portions thereof, shall be subject to prepayment in whole or in part, at the option of the City, on and after the date, if any, set forth in the Certificate, at the premium, if any, set forth in the Certificate, and at a price equal to the principal amount so prepaid and interest accrued thereon to such prepayment date, on at least 10 days written notice as set forth in the Certificate to the registered owner of the Bond, designating the maturity date of the installment(s) of principal to be prepaid, the amount of principal to be prepaid, the prepayment date, and stating that the principal to be prepaid shall be paid to the registered owner thereof as shown on the registration records kept by the Registrar on presentation of the Bond at the office of the Paying Agent (or any successor registrar or paying agent named by the City Finance Director or City Treasurer), and that after such prepayment date, interest on the amount so prepaid shall cease to accrue.

Section 5. General Obligation. The principal of and interest on the Bond, together with any prepayment premium (the "Bond Requirements") shall constitute a general obligation of the City which shall be payable from monies legally available therefor, and the City hereby irrevocably pledges its full faith and credit to the payment of the Bond Requirements. For the purpose of creating an account for the payment of the Bond and the interest thereon, there is hereby created a separate account designated as the "Carson City, Nevada, General Obligation (Limited Tax) Various Purpose Medium-Term Bond, Series 2009 Medium-Term Debt Service Account" (the "Medium-Term Debt Service Account"). Provision for the payment of the principal and interest on the Bond shall be made as provided in the Project Act; provided, however, that ad valorem taxes levied for the purpose of paying the principal of or interest on the Bond shall be subject to the limitations contained in the constitution and statutes of the State of Nevada, including, without limitation, the limitations on the levy of taxes ad valorem imposed by NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The City hereby irrevocably covenants with the registered owner of the Bond from time to time that it will make sufficient provisions annually in its budget to pay the principal of and interest on the Bond, when due.

Section 6. Registration and Transfer. The Bond shall be fully registered as to the payment of principal and interest and the Registrar shall maintain records for that purpose in his office. Such records shall show the name and address of the registered owner of the Bond, the principal amount thereof, and the interest rate(s) and the payment dates for interest on the

Bond, and the due dates of the principal of the Bond. Transfer of the Bond may be made on the registration records maintained by the Registrar and similarly noted on the registration panel appended to the Bond. The Registrar shall so transfer the Bond on presentation of the Bond at his office together with evidence of transfer satisfactory to the Registrar and subject to such reasonable regulations as the Registrar may prescribe. The Registrar shall not be required to transfer the Bond within ten (10) days of any date on which the principal of the Bond is being prepaid. In case of prepayment of the principal of the Bond, notation of such prepayment shall be made on the prepayment panel appended to the Bond, signed by the Registrar, and a like notation shall be made on the registration records.

Section 7. Form of the Bond. The Bond shall be in substantially the following form with such amendments as are not inconsistent with the provisions of this Ordinance which are agreed to by the City Treasurer by his execution of the Bond:

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

CARSON CITY, NEVADA
GENERAL OBLIGATION (LIMITED TAX)
VARIOUS PURPOSE MEDIUM-TERM BOND
SERIES 2009

No. R-1

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated as of</u>	<u>Principal Amount</u>
_____%	_____, _____	_____, 2009	\$ _____

PRINCIPAL AMOUNT:

DOLLARS

Carson City, Nevada (the "City"), for value received, hereby acknowledges itself to be indebted and promises to pay to the order of _____, or registered assigns, as shown on the registration panel appended thereto, the principal amount specified above, in installments of principal in the amounts and on the dates as provided in the ordinance authorizing the issuance of this Bond adopted by the Board of Supervisors of the City and designated in Section 1 thereof as the "2009 Medium-Term Bond Ordinance" (the "Ordinance") and the Certificate (as defined in the Ordinance), together with interest on the unpaid installments of principal from the date of delivery of this Bond appearing above until payment of such installments of principal shall have been discharged as provided in the Ordinance, at the interest rate per annum stated above, being payable on March 1 and September 1 of each year, commencing on March 1, 2010. Interest shall be calculated on the basis of a three hundred sixty (360) day year, of twelve (12) thirty (30) day months.

The final installment of principal and interest hereof shall be paid to the registered owner of this Bond upon presentation and surrender hereof, at maturity or upon prepayment as provided below, at the office of the City's paying agent for the Bond (the "Paying Agent"), or such office designated by the Paying Agent, presently the City Treasurer of Carson City, Nevada (the "City Treasurer"), who is also now acting as the City's registrar for the Bond (the "Registrar"). Other installments of principal or interest on this Bond shall be paid by check or draft mailed (or such other means as is agreed to by the Paying Agent and the registered owner of this Bond) on or before each interest or principal payment date (or if such date is not a business day, on the next succeeding business day) to the registered owner hereof at the address appearing on the registration records maintained by the Registrar. If upon presentation at maturity payment of this Bond is not made as herein provided, interest shall continue at the rate specified in the Certificate until the principal hereof is paid in full. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

[The principal of this Bond may be prepaid in whole or in part, at the option of the City on ten (10) days' written notice to the registered owner hereof. After the date of the prepayment of all of the principal hereof, interest on the principal so prepaid will cease to accrue. The amount of principal so prepaid shall be noted on the prepayment panel provided on this Bond and the registration records maintained by the Registrar.]

The principal of and interest on this Bond are payable only to the registered owner hereof at the address appearing on the registration records of the City maintained by the Registrar. This Bond may be transferred on presentation to the Registrar, together with evidence of transfer satisfactory to the Registrar and such transfer shall be noted in the registration records of the City and similarly noted on the registration panel appended to this Bond. The Registrar shall not be required to transfer ownership of this Bond within ten (10) days of any date on which any portion of the principal hereof is to be prepaid.

This Bond is issued by the City upon its behalf and upon the credit thereof, for the purpose of providing funds to finance the cost of ambulances, sewer improvements and storm drainage improvements for the City (the "Project"), under the authority of and in full conformity with the constitution and laws of the State.

This Bond is issued pursuant to NRS 350.087 to 350.095, inclusive (the "Project Act"), pursuant to Chapter 213, Statutes of Nevada 1969 (the "Charter"), pursuant to NRS 350.500 to 350.720, inclusive, and all laws amendatory thereof, designated in NRS 350.500 thereof as the "Local Government Securities Law," pursuant to NRS Chapter 348, pursuant to approval of the Executive Director of the State of Nevada Department of Taxation, and pursuant to the Ordinance. This recital that the Bond is issued pursuant to the Local Government Securities Law is conclusive evidence of the validity of the Bond and the regularity of its issuance.

This Bond is payable from any monies of the City legally available for the purpose of making such payment and the full faith and credit of the City are hereby irrevocably pledged for making such payment. Provision for the payment of this Bond shall be made as provided in the Project Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal and interest on this Bond are subject to the limitations contained in the constitution and the statutes of the State of Nevada, including, without limitation, the limitations on ad valorem taxes contained in NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The City is not authorized to levy ad valorem taxes to pay the principal of or interest on this Bond exempt from the limitations of any of such statutes. The City has covenanted in the Ordinance to make sufficient provision annually in its budget to pay the principal of and interest on this Bond when due.

The City has covenanted for the benefit of the owner of the Bond that it will not take any action or omit to take any action with respect to the Bond, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bond if such action or omission (i) would cause the interest on the Bond to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as

amended (the "Tax Code") or (ii) would cause interest on the Bond to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bond until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

The City has designated the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Tax Code.

It is hereby certified, recited, declared and warranted that all actions required to be taken prior to the issuance hereof have been had and taken by the City; and that the principal of this Bond, when added to other City indebtedness, does not exceed the limits on indebtedness of the City provided in the Charter.

IN WITNESS WHEREOF, the City has caused this Bond to be signed and executed in its name and upon its behalf with the manual signature of the Mayor to be countersigned and executed with the manual signature of the City Treasurer, and attested with the manual signature of the City Clerk, all as of the date of delivery hereof as first noted above.

CARSON CITY, NEVADA

By _____
Mayor

Countersigned:

City Treasurer

(SEAL)

Attest:

City Clerk

(Form of Registration Panel)

PROVISION FOR REGISTRATION AS TO PRINCIPAL AND INTEREST

This Bond must be registered as to both principal and interest on the registration records for the Bond, kept by the office of the City Treasurer, as Registrar. After registration as to both principal and interest, the Registrar shall note such registration on such registration records and in the registration blank below, and the principal and interest on this Bond shall be paid to such registered owner. This Bond may be transferred by the registered owner or his legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said registration records and endorsed hereon.

Every privilege, registration, and transfer, shall be exercised only in accordance with the authorizing ordinance and such reasonable rules and regulations as the Registrar may prescribe.

Date of
Registration

Name of
Registered Owner

Signature of
Registrar

(End of Form of Registration Panel)

(Form of Prepayment Panel)

PREPAYMENT PANEL

The following installments of principal (or portions thereof) of this Bond have been prepaid by the City in accordance with the terms of the within-mentioned Ordinance:

<u>Date of Prepayment</u>	<u>Due Date of Installments (or portions thereof) Prepaid</u>	<u>Principal Amount Prepaid</u>	<u>Signature of Paying Agent</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(End of Form of Prepayment Panel)

(Form of Assignment for Bond)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto the within Bond and hereby irrevocably constitutes and appoints _____ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

Name of Transferee:

Address of Transferee:

Social Security or other tax
identification number of
Transferee:

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever. Signature(s) must be guaranteed by an eligible guarantor institution as defined in 17 CFR 240.17Ad-15(a)(2).

(End of Form of Assignment for Bond)

Section 8. Use of Bond Proceeds. Upon the issuance of the Bond, the City Treasurer shall cause the proceeds of the Bond to be deposited into a special account hereby created and designated as the "Carson City, Nevada, General Obligation (Limited Tax) Various Purpose Medium-Term Bond, Series 2009, Acquisition Account" (the "Acquisition Account") to be held by the City. Moneys in the Acquisition Account shall be used solely to defray wholly or in part the cost of the Project including, without limitation, the costs of issuing the Bond, which the Board hereby determines are necessary and desirable and pertain to the Project. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Acquisition Account shall be deposited into the Medium-Term Debt Service Account to be used to pay the principal of and interest on the Bond.

Any gain from any investment and any reinvestment of any proceeds of the Bond shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Acquisition Account to defray, in part, the costs of the Project, or if adequate provision therefore has been made, into the Medium-Term Debt Service Account for the payment of the principal of or interest on the Bond, or any combination thereof. Any annual General Taxes for the payment of the principal of or interest on the Bond levied after such deposits of any such investment or reinvestment gain, may be diminished to the extent of the availability of such deposits for the payment of such Bond principal or interest.

Section 9. Tax Covenant. The City covenants for the benefit of the owner of the Bond that it will not take any action or omit to take any action with respect to the Bond, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bond if such action or omission (i) would cause the interest on the Bond to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Tax Code") or (ii) would cause interest on the Bond to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bond until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

Section 10. Designation as Bank Qualified. The City hereby designates the Bond as a "qualified tax-exempt obligation" for purposes of paragraph (3) of section 265(b) of the Tax Code and covenants that not more than \$30,000,000 aggregate principal amount of obligations the interest on which is excludable (under section 103(a) of the Tax Code) from gross income for federal income taxes have been or are expected to be issued by or on behalf of the City, including all subordinate entities of the City during the calendar year 2009.

Section 11. Defeasance. When all Bond Requirements of the Bond have been duly paid, the pledge and lien and all obligations hereunder as to the Bond shall thereby be discharged and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State (the "Trust Bank"), an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to meet all Bond Requirements of the Bond, as the same become due to the final maturity of the Bond or upon any redemption date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of the Bond for payment. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the Trust Bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the owners thereof to assure availability as so needed to meet the schedule. For the purpose of this Section, the term "Federal Securities" shall be as defined in NRS 350.522, and shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the holder thereof.

Section 12. Replacement of Registrar of Paying Agent. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the City Treasurer or City Finance Director shall determine that it would be in the best interests of the City to appoint a new Registrar or Paying Agent hereunder, the City Treasurer or City Finance Director may, upon notice mailed to the registered owner of the Bond at his address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be

required that the same person or institution serve both a Registrar and Paying Agent hereunder, but the Board shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder.

Section 13. Delegated Powers. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

1. The printing of the Bond.
2. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to:
 - a. The signing of the Bond;
 - b. The tenure and identity of the officials of the Board and of the City,
 - c. The assessed valuation of the taxable property in and the indebtedness of the City,
 - d. The exemption of interest on the registered Bond from federal income taxation,
 - e. The delivery of the Bond and the receipt of the Bond purchase price,
 - f. If it is in accordance with the fact, the absence of litigation, pending or threatened, affecting the validity of the Bond, and
 - g. The assembly and dissemination of financial and other information concerning the City and the Bond.

Section 14. Ratification. All action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof in connection with the Bond (not inconsistent with the provisions of this Ordinance), including, but not limited to, the acquisition of the Project and the sale and issuance of the Bond be, and the same hereby are, ratified, approved and confirmed.

Section 15. Interested Parties. Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give, to, any person or entity, other than the City, and the registered owner of the Bond, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in the Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, and the registered owner of the Bond.

Section 16. Repealer. All resolutions or ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance or part thereof, heretofore repealed.

Section 17. Irrepealable. Except as otherwise provided in Section 11 herein, after the Bond has been delivered, this Ordinance shall be irrepealable until amounts due under the Bond have been fully paid.

Section 18. Notice of Filing of Ordinance. When first proposed, this Ordinance must be read to the Board by title, after which an adequate number of copies of this Ordinance must be filed with the Clerk for public distribution. Notice of the filing must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of an Ordinance)

BILL NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A MEDIUM-TERM OBLIGATION TO FINANCE THE COST OF AMBULANCES, SEWER IMPROVEMENTS AND STORM DRAINAGE IMPROVEMENTS FOR THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM BOND, SERIES 2009" IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,900,000; SPECIFYING THE TERMS AND CONDITIONS OF SUCH MEDIUM-TERM BOND, THE METHOD OF PAYING THE BOND AND ITS FORM; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of Carson City, 2621 Northgate Lane, No. 56, Carson City, Nevada and that such Ordinance was proposed by Supervisor _____ on July 16, 2009, and will be considered for adoption at the regular meeting of the Board of Supervisors of Carson City held on August 6, 2009.

/s/ Alan Glover
City Clerk

(End of Publication of Notice of Filing of Ordinance)

Section 19. Publication of Ordinance and Effective Date. This Ordinance shall be in effect from and after its publication as hereinafter provided, and after this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published at least once by title, together with the names of the Supervisors voting for or against its passage, such publication to be made in a newspaper qualified pursuant to the provisions of NRS Chapter 238 and published and having general circulation in the City, such publication is to be in substantially the following form:

(Form for Publication after Adoption of Ordinance)

BILL NO. _____

ORDINANCE NO. _____
(OF CARSON CITY, NEVADA)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A MEDIUM-TERM OBLIGATION TO FINANCE THE COST OF AMBULANCES, SEWER IMPROVEMENTS AND STORM DRAINAGE IMPROVEMENTS FOR THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM BOND, SERIES 2009" IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,900,000; SPECIFYING THE TERMS AND CONDITIONS OF SUCH MEDIUM-TERM BOND, THE METHOD OF PAYING THE BOND AND ITS FORM; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that the above numbered and entitled ordinance was proposed by Supervisor _____ on July 16, 2009, and passed and adopted without amendment at the regular meeting of the Board of Supervisors on August 6, 2009, by the following vote:

Those Voting Aye:

Robert L. Crowell
Shelly Aldean
Pete Livermore
Molly Walt
Robin Williamson

Those Voting Nay:

Those Absent and Not Voting:

Those Abstaining:

This ordinance shall be in full force and effect from and after August __, 2009, i.e., the date of publication of such ordinance by its title only.

IN WITNESS WHEREOF, the Board of Supervisors of Carson City, Nevada, has caused this ordinance to be published by title only.

DATED this August 6, 2009.

/s/ Robert L. Crowell
Mayor

(SEAL)

Attest:

/s/ Alan Glover
City Clerk

(End of Form of Publication)

Section 20. Severability. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF CARSON CITY, THIS AUGUST 6, 2009.

Proposed on July 16, 2009.

Proposed by Supervisor _____.

Passed on August 6, 2009.

Vote:

Ayes:

Robert L. Crowell
Shelly Aldean
Pete Livermore
Molly Walt
Robin Williamson

Nays:

Absent:

Mayor

(SEAL)

Attest:

City Clerk

This ordinance shall be in force and effect from and after August ____, 2009.

STATE OF NEVADA)
) SS.
CARSON CITY)

I, Alan Glover, the duly elected, qualified and acting City Clerk of Carson City (herein "City"), Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct and compared copy of an ordinance introduced at a meeting on July 16, 2009, and passed and adopted by the Board of Supervisors of the City (the "Board") at a meeting of the Board held on August 6, 2009; and the original ordinance has been approved and authenticated by the signature of the Mayor and myself as City Clerk, and sealed with the seal of the City, and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

2. Members of the Board voted on the passage of the ordinance as set forth in such ordinance.

3. All members of the Board were given due and proper notice of such meetings held on July 16, 2009 and August 6, 2009.

4. Public notice of such meetings was given and such meetings were held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notices of meetings and excerpts from the agendas for the meetings relating to the ordinance, as posted at least 3 working days in advance of the meetings at the City's website and at the:

- (i) Community Center
851 East William Street
Carson City, Nevada
- (ii) Public Safety Complex
885 East Musser Street
Carson City, Nevada
- (iii) City Hall
201 North Carson
Carson City, Nevada
- (iv) Carson City Library
900 North Roop Street
Carson City, Nevada

are attached as Exhibit "A" and "Exhibit "B" hereto.

5. Prior to 9:00 a.m. at least 3 working days before such meetings, such noticed were mailed to each person, if any, who has requested notice of the meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Carson City, Nevada, this August 6, 2009.

(SEAL)

City Clerk

EXHIBIT "A"

(Attach Copy of Agenda Notice of July 16, 2009 Meeting)

EXHIBIT "B"

(Attach Copy of Agenda Notice of August 6, 2009 Meeting)

EXHIBIT "C"

(Attach Copy of Affidavit of Publication of Notice of Filing of Ordinance)

EXHIBIT "D"

(Attach Copy of Affidavit of Publication of Adoption of Ordinance)

Preliminary, Subject to Change

**Carson City, Nevada
2009 Medium-Term Bonds
Debt Service Schedule**

Date	Principal	Rate	Interest	Total	Annual Debt Service
09/02/2009					
03/01/2010	\$78,300	5.000%	72,097.22	150,397.22	150,397.22
09/01/2010	100,500	5.000%	70,542.50	171,042.50	
03/01/2011	103,000	5.000%	68,030.00	171,030.00	342,072.50
09/01/2011	197,400	5.000%	65,455.00	262,855.00	
03/01/2012	202,300	5.000%	60,520.00	262,820.00	525,675.00
09/01/2012	207,400	5.000%	55,462.50	262,862.50	
03/01/2013	121,800	5.000%	50,277.50	172,077.50	434,940.00
09/01/2013	124,700	5.000%	47,232.50	171,932.50	
03/01/2014	128,000	5.000%	44,115.00	172,115.00	344,047.50
09/01/2014	131,100	5.000%	40,915.00	172,015.00	
03/01/2015	134,400	5.000%	37,637.50	172,037.50	344,052.50
09/01/2015	137,700	5.000%	34,277.50	171,977.50	
03/01/2016	141,200	5.000%	30,835.00	172,035.00	344,012.50
09/01/2016	144,800	5.000%	27,305.00	172,105.00	
03/01/2017	148,300	5.000%	23,685.00	171,985.00	344,090.00
09/01/2017	152,000	5.000%	19,977.50	171,977.50	
03/01/2018	155,800	5.000%	16,177.50	171,977.50	343,955.00
09/01/2018	159,700	5.000%	12,282.50	171,982.50	
03/01/2019	163,800	5.000%	8,290.00	172,090.00	344,072.50
09/01/2019	167,800	5.000%	4,195.00	171,995.00	
03/01/2020	0	5.000%	0.00	0.00	171,995.00
	2,900,000		789,309.72	3,689,309.72	3,689,309.72

Carson City, Nevada
2009 Medium-Term Bonds (Drainage Portion)
Debt Service Schedule

Date	Principal	Rate	Interest	Total	Annual Debt Service
09/02/2009					
03/01/2010	\$0	5.000%	\$19,888.89	\$19,888.89	19,888.89
09/01/2010	20,300	5.000%	20,000.00	40,300.00	
03/01/2011	20,800	5.000%	19,492.50	40,292.50	80,592.50
09/01/2011	36,400	5.000%	18,972.50	55,372.50	
03/01/2012	37,300	5.000%	18,062.50	55,362.50	110,735.00
09/01/2012	38,200	5.000%	17,130.00	55,330.00	
03/01/2013	39,200	5.000%	16,175.00	55,375.00	110,705.00
09/01/2013	40,100	5.000%	15,195.00	55,295.00	
03/01/2014	41,200	5.000%	14,192.50	55,392.50	110,687.50
09/01/2014	42,200	5.000%	13,162.50	55,362.50	
03/01/2015	43,200	5.000%	12,107.50	55,307.50	110,670.00
09/01/2015	44,300	5.000%	11,027.50	55,327.50	
03/01/2016	45,400	5.000%	9,920.00	55,320.00	110,647.50
09/01/2016	46,600	5.000%	8,785.00	55,385.00	
03/01/2017	47,700	5.000%	7,620.00	55,320.00	110,705.00
09/01/2017	48,900	5.000%	6,427.50	55,327.50	
03/01/2018	50,100	5.000%	5,205.00	55,305.00	110,632.50
09/01/2018	51,400	5.000%	3,952.50	55,352.50	
03/01/2019	52,700	5.000%	2,667.50	55,367.50	110,720.00
09/01/2019	54,000	5.000%	1,350.00	55,350.00	
03/01/2020			0.00	0.00	55,350.00
	\$800,000		\$241,333.89	\$1,041,333.89	\$1,041,333.89

Carson City, Nevada
2009 Medium-Term Bonds (Sewer Portion)
Debt Service Schedule

Date	Principal	Rate	Interest	Total	Annual Debt Service
09/02/2009					
03/01/2010	\$0	5.000%	\$39,777.78	\$39,777.78	\$39,777.78
09/01/2010	0	5.000%	40,000.00	40,000.00	
03/01/2011	0	5.000%	40,000.00	40,000.00	80,000.00
09/01/2011	76,700	5.000%	40,000.00	116,700.00	
03/01/2012	78,600	5.000%	38,082.50	116,682.50	233,382.50
09/01/2012	80,600	5.000%	36,117.50	116,717.50	
03/01/2013	82,600	5.000%	34,102.50	116,702.50	233,420.00
09/01/2013	84,600	5.000%	32,037.50	116,637.50	
03/01/2014	86,800	5.000%	29,922.50	116,722.50	233,360.00
09/01/2014	88,900	5.000%	27,752.50	116,652.50	
03/01/2015	91,200	5.000%	25,530.00	116,730.00	233,382.50
09/01/2015	93,400	5.000%	23,250.00	116,650.00	
03/01/2016	95,800	5.000%	20,915.00	116,715.00	233,365.00
09/01/2016	98,200	5.000%	18,520.00	116,720.00	
03/01/2017	100,600	5.000%	16,065.00	116,665.00	233,385.00
09/01/2017	103,100	5.000%	13,550.00	116,650.00	
03/01/2018	105,700	5.000%	10,972.50	116,672.50	233,322.50
09/01/2018	108,300	5.000%	8,330.00	116,630.00	
03/01/2019	111,100	5.000%	5,622.50	116,722.50	233,352.50
09/01/2019	113,800	5.000%	2,845.00	116,645.00	
03/01/2020			0.00	0.00	116,645.00
	\$1,600,000		\$503,392.78	\$2,103,392.78	\$2,103,392.78

Preliminary, Subject to Change

**Carson City, Nevada
2009 Medium-Term Bonds (Fleet Portion)
Debt Service Schedule**

Date	Principal	Rate	Interest	Total	Annual Debt Service
09/02/2009					
03/01/2010	\$78,300	5.000%	\$12,430.56	\$90,730.56	\$90,730.56
09/01/2010	80,200	5.000%	10,542.50	90,742.50	
03/01/2011	82,200	5.000%	8,537.50	90,737.50	181,480.00
09/01/2011	84,300	5.000%	6,482.50	90,782.50	
03/01/2012	86,400	5.000%	4,375.00	90,775.00	181,557.50
09/01/2012	88,600	5.000%	2,215.00	90,815.00	
03/01/2013		5.000%	0.00	0.00	90,815.00
09/01/2013		5.000%	0.00	0.00	
03/01/2014		5.000%	0.00	0.00	0.00
09/01/2014		5.000%	0.00	0.00	
03/01/2015		5.000%	0.00	0.00	0.00
09/01/2015		5.000%	0.00	0.00	
03/01/2016		5.000%	0.00	0.00	0.00
09/01/2016		5.000%	0.00	0.00	
03/01/2017		5.000%	0.00	0.00	0.00
09/01/2017		5.000%	0.00	0.00	
03/01/2018		5.000%	0.00	0.00	0.00
09/01/2018		5.000%	0.00	0.00	
03/01/2019		5.000%	0.00	0.00	0.00
09/01/2019		5.000%	0.00	0.00	
03/01/2020			0.00	0.00	0.00
	\$500,000		\$44,583.06	\$544,583.06	\$544,583.06