

**Carson City
Agenda Report**

Date Submitted: 5/29/2012

Agenda Date Requested: 6/07/2012

Time Requested: 10 minutes

To: Mayor and Supervisors

From: Nick Providenti, Finance Director

Subject Title: For Possible Action: Action to introduce, on first reading, Bill No. _____, an ordinance authorizing the issuance of a medium-term obligation to finance the cost of ambulances, wheel chair vans and improvements and equipment for the City landfill and to refund certain outstanding medium-term obligations for the City; specifying the details for the "Carson City, Nevada, general obligation (limited tax) various purpose medium-term and refunding bond, series 2012"; specifying the terms and conditions of such 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, wheel chair vans and improvements and equipment for the City landfill and to refund certain outstanding medium-term obligations 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, wheel chair vans and improvements and equipment for the City landfill and to refund certain outstanding medium-term obligations for the City; specifying the details for the "Carson City, Nevada, general obligation (limited tax) various purpose medium-term and refunding bond, series 2012"; specifying the terms and conditions of such 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 the medium-term obligation herein authorized to be issued shall be issued as a single bond in the principal amount of \$1,100,000 for the purpose of financing the cost of ambulances, wheel chair vans and improvements and equipment for the City landfill, and if the City Finance Director, or in his absence, the City Manager determines that interest rate savings or other economies can be effected by the refunding of all or a portion of the outstanding 2004 Bond, 2006 Bond or 2009 Bond (collectively, the "Refunded Bonds"), an additional principal amount as set forth in the Certificate not to exceed the amount necessary to refund the Refunded Bonds is authorized to be issued.

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: \$233,500 estimated including principal and interest for the new money part of the medium term bond. Estimated savings for the Refunded Bonds is \$130,156 with the final payment due on March 1, 2010.

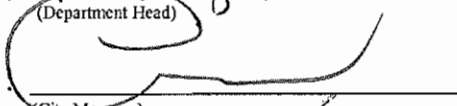
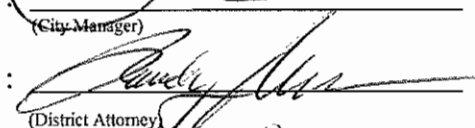
Explanation of Impact: See attached debt service schedules.

Funding Source: \$.05 cent property tax in the Capital Projects Fund for the new money. The Refunded Bonds are currently being paid from the Quality of Life Fund (2004 Bonds), Redevelopment Debt Service Fund (2006 Bonds) and the Sewer Fund and Storm Drainage Fund (2009 Bonds). These funds will recognize the interest rate savings from the Refunded Bonds and will be used to pay the debt service of the new Refunded Bonds.

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: 5/29/12
(Department Head)
 Date: 5/29/12
(City Manager)
:  Date: 5/29/12
(District Attorney)
:  Date: 5/29/12
(Finance Director)

Board Action Taken:

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

(Vote Recorded By)

Summary- An ordinance specifying the details for the issuance of a medium-term and refunding bond.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A MEDIUM-TERM OBLIGATION TO FINANCE THE COST OF AMBULANCES, WHEEL CHAIR VANS AND IMPROVEMENTS AND EQUIPMENT FOR THE CITY LANDFILL AND TO REFUND CERTAIN OUTSTANDING MEDIUM-TERM OBLIGATIONS OF THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM AND REFUNDING BOND, SERIES 2012"; SPECIFYING THE TERMS AND CONDITIONS OF SUCH BOND, THE METHOD OF PAYING THE BOND AND ITS FORM; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, on May 17, 2012, 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 \$1,100,000 (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 City has previously issued its Carson City, Nevada General Obligation (Limited Tax) Medium-Term Note, dated December 1, 2004 (the "2004 Bond"), Carson City, Nevada General Obligation (Limited Tax) Medium-Term Note, Series 2006 (the "2006 Bond"), and Carson City, Nevada General Obligation (Limited Tax) Various Purpose Medium-Term Bond, Series 2009 (the "2009 Bond"); 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 and Refunding Bond, Series 2012" (the "Bond") and shall be issued as a single bond in the principal amount of \$1,100,000 for the purpose of financing the cost of ambulances, wheel chair vans and improvements and equipment for the City landfill as described in the Authorization Resolution (the "Improvement Project"), and if the City Finance Director, or in his absence, the City Manager determines that interest rate savings or other economies can be effected by the refunding (the "Refunding Project") of all or a portion of the outstanding 2004 Bond, 2006 Bond or 2009 Bond (collectively, the "Refunded Bonds"), an additional principal amount as set forth in the Certificate (as defined below) not to exceed the amount necessary to refund the Refunded Bonds is authorized to be issued in such single bond; 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 an offer for the Bond is accepted, 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 "2012 Various Purpose Medium-Term and Refunding 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 proposer 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 Improvement Project and the Refunding Project (the "Project"), the City shall issue the Bond in the principal amount as set forth in the Certificate (not to exceed \$1,100,000 for the Improvement Project and such additional amount needed to finance the Refunding Project). The Board hereby finds that the useful life of the assets financed and refinanced 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 eight 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, 2013.

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 and Refunding Bond, Series 2012 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, and the amount of money necessary for this purpose shall be a first charge against all such revenues received by the City.

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 AND REFUNDING BOND
SERIES 2012

No. R-1

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated as of</u>	<u>Principal Amount</u>
_____%	_____, _____	_____, 2012	\$ _____

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 "2012 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, 2013. 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, wheel chair vans and improvements and equipment for the City landfill and refinancing certain outstanding medium-term obligations of 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 or refinanced 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, except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative

minimum taxable income. 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.

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:

(SEAL)

City Treasurer

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.

<u>Date of Registration</u>	<u>Name of Registered Owner</u>	<u>Signature of Registrar</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(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 and Refunding Bond, Series 2012, 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 or refinanced 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, except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. 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. Bank Qualified. The Board hereby designates to the Finance Director the authority to designate the Bond for purposes of paragraph (3) of section 265(b) of the Tax Code and to covenant that the Bond does not constitute a private activity bond as defined in section 141 of the Tax Code, and that not more than \$10,000,000 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 (excluding, however, private activity bonds, as defined in section 141 of the Tax Code, other than qualified 501(c)(3) bonds as defined in section 145 of the Tax Code), including the Bond, have been or are expected to be issued by or on behalf of the City, including all subordinate entities of the City during calendar year 2012.

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,
 - g. The giving of conditional notices of prior redemption for the Refunded Bonds in accordance with the ordinances authorizing the issuance of the Refunded Bonds, and

h. 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, WHEEL CHAIR VANS AND IMPROVEMENTS AND EQUIPMENT FOR THE CITY LANDFILL AND TO REFUND CERTAIN OUTSTANDING MEDIUM-TERM OBLIGATIONS OF THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM AND REFUNDING BOND, SERIES 2012"; SPECIFYING THE TERMS AND CONDITIONS OF SUCH 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, 201 North Carson Street, Suite No. 1, Carson City, Nevada and that such Ordinance was proposed by Supervisor _____ on June 7, 2012, and will be considered for adoption at the regular meeting of the Board of Supervisors of Carson City held on June 21, 2012.

/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, WHEEL CHAIR VANS AND IMPROVEMENTS AND EQUIPMENT FOR THE CITY LANDFILL AND TO REFUND CERTAIN OUTSTANDING MEDIUM-TERM OBLIGATIONS OF THE CITY; SPECIFYING THE DETAILS FOR THE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM AND REFUNDING BOND, SERIES 2012"; SPECIFYING THE TERMS AND CONDITIONS OF SUCH 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 June 7, 2012, and passed and adopted without amendment at the regular meeting of the Board of Supervisors on June 21, 2012, by the following vote:

Those Voting Aye:

Karen Abowd
Shelly Aldean
Robert L. Crowell
John McKenna
Molly Walt

Those Voting Nay:

Those Absent and Not Voting:

Those Abstaining:

This ordinance shall be in full force and effect from and after June __, 2012, 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 June 21, 2012.

/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 JUNE 21, 2012.

Proposed on June 7, 2012.

Proposed by Supervisor _____.

Passed on June 21, 2012.

Vote:

Ayes:

Karen Abowd
Shelly Aldean
Robert L. Crowell
John McKenna
Molly Walt

Nays:

Absent:

Mayor

(SEAL)

Attest:

City Clerk

This ordinance shall be in force and effect from and after June ____, 2012.

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 June 7, 2012, and passed and adopted by the Board of Supervisors of the City (the "Board") at a meeting of the Board held on June 21, 2012; 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 June 7, 2012 and June 21, 2012.

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 June 21, 2012.

(SEAL)

City Clerk

EXHIBIT "A"

(Attach Copy of Agenda Notice of June 7, 2012 Meeting)

EXHIBIT "B"

(Attach Copy of Agenda Notice of June 21, 2012 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)