

RESOLUTION NO. 2020-R-_____

A RESOLUTION AUTHORIZING MEDIUM-TERM OBLIGATIONS IN AN AGGREGATE AMOUNT OF UP TO \$7,740,000 TO FINANCE THE COST OF REFUNDING CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of Supervisors of Carson City, Nevada (the “Board”, the “City”, and the “State”, respectively) proposes to enter into medium-term obligations evidenced by bonds issued at one time, or from time to time, in one series or more (the “Bonds”) in an aggregate amount up to \$7,740,000, pursuant to Nevada Revised Statutes (“NRS”) 350.087 through 350.095, in order to finance in whole or in part the cost of refunding certain outstanding obligations of the City (the “Project”); and

WHEREAS, the medium-term obligations are not proposed to be repaid in whole or in part by the levy of a tax exempt from the limitations on taxes ad valorem, but are to be repaid from legally available funds of the City, including, without limitation, monies derived from the City’s General Fund, the City’s Stormwater Fund, the City’s Wastewater Fund and the City’s Water Fund; and

WHEREAS, NRS 350.087 requires that a notice of intention to authorize medium-term obligations be published not less than 10 days prior to the consideration of a resolution authorizing the medium-term obligations; and

WHEREAS, a notice of intention to act upon the resolution authorizing such medium-term obligations has been duly published in a newspaper of general circulation in the City not less than 10 days prior to the date of a public hearing thereon, and such public hearing was held prior to adoption of this resolution; and

WHEREAS, all comments made at the April 16, 2020 public hearing have been duly considered by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA:

Section 1. This resolution is hereby designated by the short title the “2020 Medium-Term Authorization Resolution” (the “Resolution”).

Section 2. The Board hereby finds and determines that the public interest requires medium-term obligations for the Project, in an aggregate amount not exceeding \$7,740,000.

Section 3. The facts upon which the finding stated in Section 2 above is based are:

(a) There is an opportunity to refinance certain outstanding obligations of the City in order to effect interest rate savings.

(b) It is in the best interests of the City and its inhabitants, and would best serve the public interest thereof, if the Project is now accomplished, thereby assisting in alleviating the needs mentioned in (a).

(c) It is not possible to finance the Project from other funds of the City because of restrictions on the City’s budget for this and the next fiscal year and other demands on and needs for existing funds of the City.

Section 4. The City proposes to borrow a sum not to exceed \$7,740,000 at an estimated annual interest rate of approximately 1.60 percent to be repaid over a period of not more than 10 years (i.e., such Bonds shall mature not later than 10 years after the date or respective dates of issuance). The weighted average term of the medium-term obligations shall not exceed the estimated weighted average useful life of the assets being refinanced with the medium-term obligations, and the interest rate shall in no event exceed by more than 3 percent the “Index of Twenty Bonds” which is most recently published before a negotiated offer is accepted for the Bonds.

Section 5. The sources of revenue of the City that are anticipated to be used to repay the Bonds and the dollar amount expected to be available from the City’s General Fund is approximately \$92,400 per year, from the City’s Stormwater Fund is approximately \$418,400 per year, from the City’s Wastewater Fund is approximately \$84,200 per year, and from the City’s Water Fund is approximately in the range of \$642,400 per year to \$1,522,200 per year.

Section 6. The Bonds shall not be paid in whole or in part from a levy of a special tax exempt from the limitations on the levy of ad valorem tax, but are expected to be paid from other legally available funds of the City as described in Section 5 above.

Section 7. The Chief Financial Officer of the City (the “Chief Financial Officer”) or his or her designee is hereby authorized to arrange for the issuance and sale of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$7,740,000, to carry out the Project, and the Chief Financial Officer is authorized to specify the terms and details of the Bonds, including, without limitation, the maturity date or dates, the interest rate or rates, the redemption features, if any, and the other terms and conditions thereof, subject to ratification by the Board. The Bonds issued to effect the Project shall be issued on such other terms and conditions as the Board determines, all as provided in NRS 350.087 to 350.095, inclusive, NRS 350.500 to 350.720, inclusive, and as authorized by the Chief Financial Officer at the time of sale of the Bonds and thereafter ratified by the Board as set forth in this Resolution.

Section 8. The officers of the City ~~are be and the same~~ hereby ~~are~~ authorized and directed to take all action necessary to effectuate the provisions of this Resolution, including, without limitation, updating the City’s capital improvement plan and statement of contemplated debt, if required, to reflect the Project, forwarding all necessary documents to the Executive Director of the Department of Taxation of the State of Nevada, assembling of financial and other information concerning the City, the Project and the medium-term obligation, and, if deemed appropriate by the Chief Financial Officer or his or her designee, preparing and circulating one or more request for proposals for financing or preliminary official statements and notices of sale in the forms specified by the Chief Financial Officer or her designee. If applicable, the Chief Financial Officer or his or her designee is authorized to deem each official statement or preliminary official statement to be a “final” official statement on behalf of the City for the purposes of Rule 15(c)2-12 of the Securities and Exchange Commission.

Section 9. The City represents that it is in compliance with the applicable provisions of law, including, without limitation, the provisions of Chapter 354 of NRS.

Section 10. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 11. If any section, paragraph, clause or other provision of this Resolution 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 Resolution.

Section 12. Sections 1 through 6 of this Resolution shall become effective upon the approval by the Executive Director of the Department of Taxation of the State of Nevada as provided in NRS 350.089, which approval shall be recorded in the minutes of the Board. Sections 7 through 12 of this Resolution shall become effective upon passage and approval.

UPON MOTION BY SUPERVISOR _____, SECONDED BY SUPERVISOR _____, THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED AND APPROVED BY THE FOLLOWING AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, THIS APRIL 16, 2020:

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

(SEAL)

Robert Crowell, Mayor

Attest:

Aubrey Rowlett, Clerk-Recorder
Carson City, Nevada

STATE OF NEVADA)
) **ss.**
CARSON CITY)

I am the duly chosen, qualified and acting Clerk-Recorder of Carson City (the “City”), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution which was adopted at the meeting of the Board of Supervisors (the “Board”) on April 16, 2020.

2. The members of the Board were present at the meeting and voted upon the adoption of the resolution as follows:

Those Voting Aye:

Those Voting Nay:

Those Absent:

3. The members of the Board were present at such meeting and voted on the passage of such resolution as set forth in such minutes.

4. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as the Clerk-Recorder, and sealed with the seal of the City, and has been recorded in the journal of the Board kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. Public notice of such meeting attached as Exhibit A was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020 and the Declaration of Emergency Directive 006 of the Nevada Governor dated March 22, 2020 ("Directive 006"). A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the resolution, as posted no later than 9:00 a.m. on the third working day prior to the meeting, were posted on the City’s website and on the official website of the State of Nevada pursuant to NRS 232.2175.

6. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notices of 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.

7. A copy of such notice so given of the meeting of the Board held on April 16, 2020, is attached to this certificate as Exhibit A. A copy of the minutes of the public hearing held on April 16, 2020, prior to the adoption of the resolution is attached hereto as Exhibit B. A copy of the affidavit of publication of the notice of public hearing is attached hereto as Exhibit C.

IN WITNESS WHEREOF, I have hereunto set my hand on this April 16, 2020.

Aubrey Rowlatt, Clerk-Recorder

EXHIBIT "A"

(Attach Copy of Notice of April 16, 2020 Meeting)

EXHIBIT "B"

(Attach Minutes of Public Hearing)

EXHIBIT "C"

(Attach Affidavit of Publication of Notice of Hearing)