Carson City Agenda Report

Date Submitted: 05/10/11 **Agenda Date Requested:** 5/19/11 **Time Requested:** 10 minutes

To: Mayor and Supervisors

From: Nick Providenti, Finance Director

Subject Title: Action to adopt a resolution concerning the financing of water projects and sewer projects; providing for the reimbursement of expenditures from the proceeds of bonds; and providing the effective date hereof. (Nick Providenti)

Staff Summary: Pursuant to 7.020 of the Charter, the City is authorized to borrow money for any corporate purpose and to evidence such borrowing by the issuance of bonds or other securities pursuant to the Local Government Securities Law. The Board proposes to acquire, construct, improve and equip water projects as defined in NRS 244A.056 (the "Water Project") and to acquire, construct, improve and equip sewerage projects as defined in NRS 244A.0505 (the "Sewer Project"). The City reasonably expects to incur expenditures with respect to the Projects prior to the issuance of bonds for financing the Water and Sewer Projects and to reimburse those expenditures from the issuance of bonds.

| Type of Action Requested: (check one) (_xxx_) Resolution () Formal Action/Motion () Ordinance () Other (Specify) |
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| Does this action require a Business Impact Statement: () Yes (xx) No |
| Recommended Board Action: I move to adopt Resolution #, a resolution concerning the financing of water projects and sewer projects; providing for the reimbursement of expenditures from the proceeds of bonds; and providing the effective date hereof. |
| Explanation for Recommended Board Action: In order to permit the City to reimburse itself for prior expenditures relating to the Water and Sewer Projects, the Board must adopt a resolution allowing the City to reimburse itself for expenditures made prior to the issuance of bonds. The maximum principal amount of bonds expected to be issued to reimburse such expenditures is \$3,000,000 of water bonds and \$2,500,000 of sewer bonds. |
| Applicable Statute, Code, Policy, Rule or Regulation: 7.020 of the Charter, NRS 350.013, NRS 350.014, NRS 350.500 through NRS 350.720, NRS 244A.027, NRS 244A.056, and NRS 350.020(3) |
| Fiscal Impact: This resolution has no fiscal impact. |
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Explanation of Impact: n/a

Funding Source: n/a

Alternatives: Not to adopt Reimbursement Resolution.

| Supporting Material: Resolution | | | |
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| Prepared By: Nick Providenti Reviewed By: (Department Head) | Date: | 5/10/11 | · |
| : (City Manager) | Date: | 5-10-11 | |
| : RemeCy / Mr. | Date: | 5/10/11 | |
| : Mult Munht (Finance Director) | Date: | Sholu | |
| Board Action Taken: | | | |
| Motion: | | · · · · · · · · · · · · · · · · · · · | Aye/Nay |
| | | | *************************************** |
| (Vote Recorded By) | | | |

RESOLUTION NO.

A RESOLUTION CONCERNING THE FINANCING OF WATER PROJECTS AND SEWER PROJECTS; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Carson City, in the State of Nevada (the "City" and "State," respectively), is organized and operating pursuant to the provisions of Chapter 276, Statutes of Nevada 1971 (the "Charter") and the general laws of the State; and

WHEREAS, pursuant to Section 7.020 of the Charter (the "Project Act"), the City is authorized to borrow money for any corporate purpose and to evidence such borrowing by the issuance of bonds or other securities pursuant to the Local Government Securities Law (being cited as Nevada Revised Statutes ("NRS") 350.500 through 350.720 (the "Bond Act"); and

WHEREAS, the Board of Supervisors (the "Board") proposes to acquire, construct, improve and equip water projects as defined in NRS 244A.056 (the "Water Project") and to acquire, construct, improve and equip sewerage projects as defined in NRS 244A.0505 (the "Sewer Project"); and

WHEREAS, the City expects to make expenditures for the Water Project and the Sewer Project prior to the issuance of bonds for the City expects to reimburse from the proceeds of the bonds.

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

- Section 1. This resolution shall be designated by the short title "2011 Water and Sewer Reimbursement Resolution" (the "Resolution").
- Section 2. In order to permit the City to reimburse itself for prior expenditures relating to the Water Project with the proceeds of water bonds, the Board hereby determines and declares as follows:
- (a) The City reasonably expects to incur expenditures with respect to the Project prior to the issuance of bonds for financing the Water Project and to reimburse those expenditures from the issuance of bonds; and

| (b) | The maximum principal amount of bonds expected to be issued to | | | | | |
|---|--|--|--|--|--|--|
| reimburse such expenditures is \$3,000,000. | | | | | | |
| Section 3. | In order to permit the City to reimburse itself for prior expenditures | | | | | |
| relating to the Sewer Project with the proceeds of sewer bonds, the Board hereby determines and | | | | | | |
| declares as follows: | | | | | | |
| (a) | The City reasonably expects to incur expenditures with respect to the | | | | | |
| Project prior to the issuance | of bonds for financing the Sewer Project and to reimburse those | | | | | |
| expenditures from the issuance | ce of bonds; and | | | | | |
| (b) | The maximum principal amount of sewer bonds expected to be issued | | | | | |
| to reimburse such expenditur | es is \$2,500,000. | | | | | |
| Section 4. | All resolutions, or parts thereof, in conflict with the provisions of this | | | | | |
| Resolution, are hereby repeal | ed to the extent only of such inconsistency. This repealer shall not be | | | | | |
| constructed to revive any reso | plution, or part thereof, heretofore repealed. | | | | | |
| Section 5. | 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 o | other provision shall not affect any of the remaining provisions of this | | | | | |
| resolution. | | | | | | |
| Section 6. | This Resolution shall become effective and be in force immediately | | | | | |
| upon its adoption. | | | | | | |
| Passed and ad- | opted this May 19, 2011. | | | | | |
| (SEAL) | | | | | | |
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| Attest: | Mayor | | | | | |
| | | | | | | |
| | | | | | | |
| City Clerk | | | | | | |
| | | | | | | |

| STATE OF NEVADA |) |
|-----------------|------|
| |) ss |
| CARSON CITY |) |

- I, Alan Glover, the duly chosen, qualified and acting Clerk of Carson City (the "City"), in the State of Nevada, do hereby certify:
- The foregoing pages constitute a true, correct, complete and compared copy of a resolution of the Board of Supervisors (the "Board") adopted at a meeting of the Board held on May 19, 2011.
 - 2. The members of the Board voted on the resolution as follows:

Those Voting Aye:

Karen Abowd
Shelly Aldean
Robert Crowell
John McKenna
Molly Walt

Those Voting Nay:

Those Absent:

- 3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk 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 the officers and properly sealed.
- 4. All members of the Board were given due and proper notice of such meeting. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. 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 on the City's website and at:
 - (i) Community Center 851 East William Carson City, Nevada

- (ii) Carson City Courthouse 885 East Musser Carson City, Nevada
- (iii) Carson City Administration Building 201 North Carson Street Carson City, Nevada
- (iv) Bulletin Board at the Carson City Library 900 North Roop Street Carson City, Nevada

is attached as Exhibit "A."

5. At least 3 working days before such meeting, such notice was delivered to each member of the Board and to each person, if any, who has requested notice of meetings of the Board in accordance with the provisions of Chapter 241 of NRS.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this May 19, 2011.

| (SEAL) | | |
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| | City Clerk | |

EXHIBIT "A"

(Attach Copy of Notice of Meeting)