

Summary - a resolution of intent to issue general obligation (limited tax) sewer bonds (additionally secured by pledged revenues).

RESOLUTION NO. _____

A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$70,000,000 FOR THE PURPOSE OF FINANCING SEWERAGE PROJECTS FOR THE CITY; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City Council (the "Council") of the City of Reno (the "City") in the County of Washoe (the "County") in the State of Nevada, proposes to issue up to \$70,000,000 of general obligation (limited tax) sewer bonds additionally secured by pledged revenues (the "Bonds") to finance sewerage projects as defined in NRS 268.714 for the City (the "Project"); and

WHEREAS, the Council proposes to issue the Bonds additionally secured by a pledge of the net revenues of the City's municipal sanitary sewer system of which the Project is a part (the "Pledged Revenues"); and

WHEREAS, the Council has determined that the Pledged Revenues will at least equal the amount required in each year for the payment of interest and principal on such Bonds and that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of interest and principal on such Bonds for the term thereof; and

WHEREAS, pursuant to NRS 350.020(3), the Council proposes to incur these general obligations without an election unless a petition requesting an election signed by 5% of the registered voters of the City is presented to the Council within 90 days after the publication of a notice of the adoption of this resolution of intent requiring the Council to submit to the qualified electors of the City for their approval or disapproval the following proposal (the "Proposal"):

GENERAL OBLIGATION SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) PROPOSAL:

Shall the City Council of the City of Reno, Nevada, be authorized to incur a general obligation indebtedness (additionally secured by pledged revenues) on behalf of the City by the issuance at one

time, or from time to time, of the City's general obligation sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$70,000,000 for the purpose of acquiring, improving, equipping and maintaining a sewerage project as defined in NRS 268.714, such bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, payable from general (ad valorem) taxes (except to the extent pledged revenues and other monies are available therefor), and to be issued and sold at, above, or below par at an effective interest rate including any sale discount, as shall be determined at the time of the sale thereof, not exceeding the statutory maximum rate, if any, in effect at the time bonds are sold and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such other detail as the Council may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

WHEREAS, pursuant to NRS 350.011 to 350.0165, inclusive, the Council has submitted the Proposal to the Debt Management Commission of Washoe County (the "Commission"); and

WHEREAS, the Commission has approved the Proposal; and

WHEREAS, NRS 350.020(3) provides that a public hearing must be held before issuing the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RENO, NEVADA:

Section 1. This resolution shall be known as and may be cited by the short title "2024 Resolution of Intent to Issue Sewer Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and the officers of the Council directed:

(a) Toward the Project to be refinanced by the Bonds; and

(b) Toward the issuance of the Bonds to defray, in part,

the cost thereof,

be, and the same hereby is, ratified, approved and confirmed.

Section 3. The Council and the officers of the Council be, and they hereby are, authorized and directed to publish this resolution of intent or to publish a notice of the adoption of the resolution of intent relating to the Council's Proposal to issue the Bonds in a newspaper of general circulation in the City, at least once, or at such other time as specified by the Director of Finance of the City (the "Director of Finance") or designee.

Section 4. Such notice to issue the Bonds shall be published once in a newspaper of general circulation in the City in substantially the following form:

(Form of Notice of Intent for Publication)

**NOTICE OF THE INTENT OF THE CITY COUNCIL OF THE
CITY OF RENO, NEVADA, TO ISSUE GENERAL
OBLIGATION (LIMITED TAX) SEWER BONDS
ADDITIONALLY SECURED BY PLEDGED REVENUES**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Reno (the "City"), Nevada, by a resolution, passed, adopted, signed and approved on April 24, 2024, and designated in Section 1 thereof by the short title "2024 Resolution of Intent to Issue Sewer Bonds" has made the following proposal (the "Proposal") for the issuance of the City's General Obligation (Limited Tax) Sewer Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below:

**GENERAL OBLIGATION SEWER BONDS (ADDITIONALLY
SECURED BY PLEDGED REVENUES) PROPOSAL:**

Shall the City Council of the City of Reno, Nevada, be authorized to incur a general obligation indebtedness (additionally secured by pledged revenues) on behalf of the City by the issuance at one time, or from time to time, of the City's general obligation sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$70,000,000 for the purpose of acquiring, improving, equipping and maintaining a sewerage project as defined in NRS 268.714, such bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, payable from general (ad valorem) taxes (except to the extent pledged revenues and other monies are available therefor), and to be issued and sold at, above, or below par at an effective interest rate including any sale discount, as shall be determined at the time of the sale thereof, not exceeding the statutory maximum rate, if any, in effect at the time bonds are sold and otherwise to

be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such other detail as the Council may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

The Proposal was approved upon the adoption of a resolution by the Debt Management Commission of Washoe County, Nevada.

The Council has determined that the Bonds will be issued for the purpose of financing sewerage projects for the City (as further described in the above Proposal) will be additionally secured by a pledge of the net revenues of the City's sewer system (the "Pledged Revenues"). The Council has determined that the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds, and that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of the interest on and the principal of the Bonds for the term thereof.

Based upon this determination, the Council intends to incur these general obligations as set forth above without an election as provided in NRS 350.020(3), unless within ninety (90) days after the publication of this notice a petition or petitions requesting an election is presented to the Council signed by not fewer than five percent (5%) of the registered voters of the City. The number of registered voters is to be determined as of the close of registration for the last preceding general election.

At a meeting or meetings of the Council, the Council shall proceed to enact an ordinance or ordinances authorizing the issuance of the Bonds. Such ordinance or ordinances authorizing the issuance of the Bonds will be effective unless prior to 5:00 p.m. on July 25, 2024, a petition is presented to the Council asking for an election upon the question of whether or not the proposed general obligations shall be incurred. The petition for an election herein referred to may be presented to the Council at any time prior to the expiration of ninety (90) days after the publication of this notice. In the event such petition is presented, no such ordinance or ordinances shall be effective except pursuant to an election called and held for such purpose and carried by a majority of the votes cast. In the event no such petition is presented, the Bonds will be authorized as described above. The ordinance or ordinances authorizing the Bonds will, in addition, contain provisions for additionally securing the payment of the general obligations by pledging the Pledged Revenues to the payment of the Bonds.

The authority to issue the Bonds if conferred at the election or if conferred by the fact no petition is presented to the Council requesting such an election within ninety (90) days of the date of publication hereof shall be deemed to be a continuing authority and the Council shall be authorized to sell the Bonds at such time or times and upon such terms and conditions as it deems proper in accordance with the provisions of the Proposal and the laws of the State of Nevada.

All persons interested are hereby advised that further information regarding the projects to be financed by the Bonds, the Bonds and the Pledged Revenues, and all proceedings in the premises, are on file in the office of the City Clerk, One East First Street, Reno, Nevada, and can be seen and examined by the interested persons during the regular office hours of the City Clerk.

The determination by the Council that the Pledged Revenues will at least equal the amount required in each year for the payment of interest and principal on the Bonds becomes conclusive on the last day for filing the petition, i.e., on July 25, 2024.

BY ORDER of the City Council of the City of Reno, Nevada.
DATED April 24, 2024.
PUBLICATION DATE: April 26, 2024.

/s/ Mikki Huntsman
City Clerk

(End of Form of Notice for Publication)

Section 5. The City Clerk and other officers of the City are authorized and directed to publish a notice of public hearing three times, once each week for three consecutive weeks, the third publication to be made at least 10 days before the date of the public hearing described in the following notice, in a newspaper of general circulation in the City, at least as large as 5 inches high by 4 inches wide, in substantially the following form:

(Form of Notice of Public Hearing)

**NOTICE OF PUBLIC HEARING ON THE INTENT OF THE
CITY COUNCIL OF THE CITY OF RENO, NEVADA, TO
ISSUE GENERAL OBLIGATION (LIMITED TAX) SEWER
BONDS ADDITIONALLY SECURED BY PLEDGED
REVENUES**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of Reno (the "City"), Nevada, by a resolution, passed, adopted, signed and approved on April 24, 2024, and designated in Section 1 thereof by the short title "2024 Resolution of Intent to Issue Sewer Bonds" has made the following proposal (the "Proposal") for the issuance of the City's General Obligation (Limited Tax) Sewer Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below: :

**GENERAL OBLIGATION SEWER BONDS (ADDITIONALLY
SECURED BY PLEDGED REVENUES) PROPOSAL:**

Shall the City Council of the City of Reno, Nevada, be authorized to incur a general obligation indebtedness (additionally secured by pledged revenues) on behalf of the City by the issuance at one time, or from time to time, of the City's general obligation sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$70,000,000 for the purpose of acquiring, improving, equipping and maintaining a sewerage project as defined in NRS 268.714, such bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, payable from general (ad valorem) taxes (except to the extent pledged revenues and other monies are available therefor), and to be issued and sold at, above, or below par at an effective interest rate including any sale discount, as shall be determined at the time of the sale thereof, not exceeding the statutory maximum rate, if any, in effect at the time bonds are sold and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such other detail as the Council may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

The Proposal was approved upon the adoption of a resolution of the Debt Management Commission of Washoe County, Nevada.

The Council has determined that the Bonds to be issued for the purpose of financing sewerage projects for the City (as further described in the above Proposal) will be additionally secured by a pledge of the net revenues of the City's water and wastewater reclamation systems (the "Pledged Revenues"). The City has determined that the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds.

All persons interested are hereby advised that the Council will hold a public hearing on the Proposal on May 22, 2024, at 10:00 a.m. at the Council Chambers, One East First Street, Reno, Nevada. All persons are invited to attend and to be heard regarding the Proposal. Further information regarding the Proposal, the projects to be financed by the Bonds, the Bonds and the Pledged Revenues, and all proceedings, are on file in the City Clerk's Office, One East First Street, Reno, Nevada, and can be seen and examined by the interested persons during the regular office hours of the City Clerk.

BY ORDER of the City Council of the City of Reno, Nevada.

DATED April 24, 2024.

PUBLICATION DATES: April 26, 2024, May 3, 2024, and May 10, 2024.

/s/ Mikki Huntsman
City Clerk

(End of Form of Notice of Public Hearing)

Section 6. The Bonds, in the event no petition is filed during the period allowed by NRS 350.020(3), shall be authorized by an ordinance or ordinances to be adopted by the Council which will be effective after the expiration of the above specified period of publication.

Section 7. The authority to issue the Bonds designated in the Proposal as set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Council. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 8. The Director of Finance or designee is hereby authorized to arrange for issuance and sale of the Bonds, in one or more series, in a total principal amount of not more than \$70,000,000 at such time or times as determined by the Director of Finance or designee, in accordance with Chapter 268 of NRS (the "Project Act") and NRS 350.500 to 350.720, inclusive (the "Bond Act").

Section 9. The Director of Finance or designee is authorized to specify the terms of the Bonds, the method(s) of their sale, the series of the Bonds, the final principal amounts of the Bonds, the terms of their repayment and security therefor, and other details of the Bonds, and to advertise the Bonds for public sale, or negotiate the terms of the Bonds with the appropriate administrator of one or more of the State's programs (including, without limitation, requesting the State to purchase all or a portion of the City's Bonds) and/or with an administrator of the U.S. Environmental Protection Agency pursuant to the Water Infrastructure Finance and Innovation Act of 2014, subject to the Project Act and the Bond Act and subject to ratification by the Council by the adoption of one or more bond ordinances specifying the bond terms and details and approving their sale (the "Bond Ordinances").

Section 10. The officers of the City are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limitation, if necessary: (i) assembling of financial and other information concerning the City, the Project and the Bonds in the forms specified by the Director of Finance or designee.

Section 11. The Director of Finance or designee shall, after arranging for the sale(s) of the Bonds, present the proposed terms of the sale(s) to the Council for its approval by adoption of the Bond Ordinance(s).

Section 12. The officers of the Council be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 13. 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 constructed to revive any resolution, or part thereof, heretofore repealed.

Section 14. 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 15. This Resolution shall become effective and be in force immediately upon its adoption.

PASSED AND APPROVED by at least a two-thirds majority of the Council on April 24, 2024.

(SEAL)

Hillary Schieve, Mayor
City of Reno

Attest:

Mikki Huntsman, City Clerk

STATE OF NEVADA)
) ss.
CITY OF RENO)

A. I am the duly chosen and qualified City Clerk of the City of Reno (herein "City"), Nevada, and in the performance of my duties as Clerk do hereby certify:

1. The foregoing pages constitute a true, correct and compared copy of a resolution adopted at a regular meeting of the City Council held on April 24, 2024. The original of such resolution has been approved and authenticated by the signature of the Mayor of the City and myself as Clerk and has been recorded in the minutes of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

2. The members of the City Council were present at the meeting on April 24, 2024, and voted on the resolution as follows:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

Those Absent:

3. An affidavit of publication of the notice of intent set forth in the Resolution is attached hereto as Exhibit B.

4. An affidavit of publication of the notice of the public hearing is attached hereto as Exhibit C.

B. The undersigned representative of the City Manager's Office does hereby certify:

1. All members of the City Council were given due and proper notice of the meeting held on April 24, 2024.

2. 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

(attached hereto as Exhibit A).

IN WITNESS WHEREOF, I have hereunto set my hand on April 24, 2024.

City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand on April 24, 2024.

Representative of City Manager's Office

EXHIBIT A

(Attach Copy of Notice of Meeting)

EXHIBIT B

(Attach Affidavit of Publication of Notice of Intent)

EXHIBIT C

(Attach Affidavit of Publication of Notice of Public Hearing)