

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A MEDIUM-TERM OBLIGATION IN AN AMOUNT OF UP TO \$5,912,631.39 FOR THE SECOND AMENDMENT TO THE MASTER SERVICES AND PURCHASING AGREEMENT (MSA) BETWEEN THE CITY OF RENO AND AXON ENTERPRISES, INC. REGARDING THE FINANCING AND MAINTAINING OF BODY WORN CAMERAS, TASERS, FLEET VIDEO AND RELATED PERIPHERAL EQUIPMENT, NETWORK AND DATA STORAGE, AND OTHER SOFTWARES FOR THE RENO POLICE DEPARTMENT; DIRECTING THE OFFICERS OF THE CITY TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; AND PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH. (911 SURCHARGE FEES AND GENERAL FUND) (TWO-THIRDS MAJORITY VOTING REQUIREMENT.)

WHEREAS, the City Council of the City of Reno, Nevada (the “Council,” “City,” and “State”, respectively) proposes to execute the Second Amendment to the Master Services and Purchasing Agreement for an amount up to \$5,912,631.39 with Axon Enterprise Inc. with regard to equipment, software and implementation costs for body worn cameras, tasers, fleet video, and additional software, under Chapter 350 of Nevada Revised Statutes (“NRS”), in order to finance, wholly or in part, certain outstanding obligations of the City to purchase and implement such equipment and system over ten (10) years beginning fiscal year 2023; and

WHEREAS, the Council has determined that legally available funds of the City will at least equal the amount required in each year for the payment of principal (0% interest); and

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

WHEREAS, a notice of intention to act upon the resolution authorizing such medium-term obligation 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 public hearing have been duly considered by the Council and the minutes of such public hearing are attached hereto as Exhibit C.

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

Section 1. The Council hereby finds and determines that the public interest requires a medium-term obligation to finance certain outstanding obligations of the City in an amount up to \$5,912,631.39 for the First Amendment Master Services and Purchasing Agreement with Axon Enterprise, Inc. with regard to body worn cameras, tasers, in-car video recording device systems, and related software.

Section 2. The facts upon which the findings stated in Section 1 above are:

(a) There is a need to finance certain outstanding obligations of the City which will be used to implement the system of portable event recording devices as required by SB 176.

(c) It is not feasible to finance the implementation from other funds of the City because of restraints on the City's budget for the current and subsequent fiscal years, limited eligible funds for loan purposes, and other demands on and needs for existing funds of the City.

Section 3. The City proposes to finance a sum not to exceed \$5,912,631.39 at an interest rate of zero percent (0%), to be paid over a period of not more than ten (10) years.

Section 4. The medium-term obligation 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 shall be paid from other legally available funds of the City, including, without limitation, monies received from 911 surcharges and general funds, for a period not to exceed ten (10) years.

Section 5. The officers of the City be and the same hereby are authorized and directed to take all action necessary to effectuate the provisions of this Resolution, including, without limitation, forwarding all necessary documents to the Executive Director, State of Nevada Department of Taxation, Carson City, Nevada.

Section 6. The Finance Director shall, after approval of the medium-term obligation by the Executive Director of the Department of Taxation of the State of Nevada, present the proposed final terms of the obligation to the Council for its acceptance by report of the approval.

Section 7. 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 8. 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 9. This Resolution shall become effective upon passage and approval, except for Section 6 of this Resolution which shall become effective upon the approval hereof 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 Council in conjunction with the adoption of the resolution.

**PASSED AND ADOPTED AND APPROVED BY AN AFFIRMATIVE
VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF THE CITY COUNCIL
OF THE CITY OF RENO, NEVADA, THIS OCTOBER 26, 2022.**

(SEAL)

Mayor

Attest:

City Clerk

STATE OF NEVADA)
)
WASHOE COUNTY) 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 October 26, 2022. 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 minute book of the 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 October 26, 2022, and voted on the resolution as follows:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

Those Absent:

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

1. All members of the Council were given due and proper notice of the meeting held on October 26, 2022.

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) containing the time, place, location and an excerpt from the agendas for the meeting relating to the resolution as posted at least 3 working days in advance of the meeting at the Council's office, at the City's website, and at:

(i) Reno Municipal Court
One South Sierra Street
Reno, Nevada

(ii) Washoe County Library
301 South Center Street
Reno, Nevada

(iii) Evelyn Mount Northeast Community Center

1301 Valley Road
Reno, Nevada

- (iv) McKinley Arts and Culture Center
925 Riverside Drive
Reno, Nevada
- (v) Washoe County Administration Building
1001 East 9th Street
Reno, Nevada
- (vi) Reno City Hall
One East First Street
Reno, Nevada

is attached as Exhibit A.

3. 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 Council 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 the City
this October 26, 2022.

(SEAL)

City Clerk

EXHIBIT A

(Attach Copy of Notice of Meeting)

PUBLIC HEARING ON INTENTION TO AUTHORIZE A MEDIUM-TERM OBLIGATION BY THE CITY OF RENO, NEVADA.

NOTICE IS hereby given that the City Council of the City of Reno, Nevada will hold a public hearing at a regular meeting to be held on Wednesday, October 26, 2022, at the hour of 10:00 am in the Council Chambers located at One East First Street, Reno, Nevada to act upon a Resolution authorizing a Medium-Term Obligation in the principal amount of up to \$5,912,631.39 for the Purchase Agreement with Axon Enterprise, Inc. with regard to the purchase of body worn cameras, tasers, fleet video, axon interview, unlimited cloud storage for evidence.com, virtual reality training, redaction assistant, and additional miscellaneous Axon Software. The obligation is 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 is to be repaid from legally available funds of the City. The form of the resolution that authorizes such medium-term obligations, to be considered by the Council after such hearing and other information concerning such medium-term obligation and the purpose, for which it is to be used, may be examined in the office of the City Clerk, One East First Street, Reno, Nevada. All persons are invited to attend and to be heard regarding the proposed action. Prior to the hearing, written comments may be filed with the City Clerk at the aforementioned address. MIKKI HUNTSMAN, CITY CLERK, CITY OF RENO, No. XXXXX

EXHIBIT B

(Attach Affidavit of Publication of Notice of Public Hearing)

EXHIBIT C

(Minutes of Public Hearing)