

RESOLUTION NO. \_\_\_\_\_

(of Clark County, Nevada)

**A RESOLUTION CALLING A PUBLIC HEARING ON THE INTENTION TO AUTHORIZE A LEASE-PURCHASE OBLIGATION IN THE AMOUNT OF \$6,986,812.65 AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

**WHEREAS**, the County of Clark of State of Nevada (the "County" and the "State," respectively) is a political subdivision of the State a body corporate and a county duly organized as a county under the provisions of Nevada Revised Statutes ("NRS") chapter 244; and

**WHEREAS**, the Southern Nevada Area Communications Council (SNACC) is a separate legal entity originally established by Cooperative Agreement entered pursuant to the provisions of NRS Chapter 277 on September 19, 1995, for administration of regional emergency responder radios, between Clark County and the Las Vegas Water District, with amendments thereafter adding additional parties as members, resulting in the current Southern Nevada Area Communication Council Cooperative Agreement, approved the Clark County on June 18, 2013 (hereafter "Cooperative Agreement"); and

**WHEREAS**, pursuant to the Cooperative Agreement, SNACC, as separate legal entity, is empowered to enter into contracts, incur debts, and obtain revenue at its option from capital contribution assessments of incoming party members and by charge of an annual, per radio fee; but is not empowered to levy, nor has a right to receive any ad valorem or other tax or mandatory assessment; and

**WHEREAS**, on or about September 7, 2010, the Agreement By and Between Southern Nevada Area Communications Council and Clark County, Nevada For Administrative Support (hereafter "Support Agreement"), was entered, reciting that pursuant to the Cooperative Agreement, that the debts, liabilities and obligations of SNACC shall be the debts, liabilities and obligations of SNACC alone and not those of the other members, which includes Clark County; and

**WHEREAS**, the Support Agreement specifies with more particularity the financial administrative support to be provided by Clark County, noting that SNACC retains responsibility for its discretionary decisions related thereto; and

**WHEREAS**, on November 19, 2014, SNACC approved an Equipment Lease-Purchase Agreement between SNACC and Motorola Solutions, Inc. (the "2014 Lease-Purchase Agreement") dated December 1, 2014, for certain property described in the Obligation, for upgrading the SNACC P25 Network; and

**WHEREAS**, Motorola Solutions, Inc. has proposed a Schedule A amendment to the 2014 Lease-Purchase Agreement for the lease-purchase through installments of equipment for hardware, software, and services for upgrading the SNACC radio communications network in the principal amount of \$6,986,812.65 (the "Obligation") for a period of 10 years; and

**WHEREAS**, if SNACC were a "local government," as defined by NRS 350.0065 and NRS 354.474, the Obligation would be subject to the procedure in NRS 350.087 to 350.095, inclusive (the "Act"); and

**WHEREAS**, the State Department of Taxation (the "Department"), via Memorandum dated December 11, 2014, noted that an interpretation that would make SNACC a "local government" for purposes of the Act is not in a regulation at this time, but for purposes of transparency in government, entities receiving revenue from other local governments should be treated as local governments; and, as Clark County has included SNACC in its budget as a special revenue fund, the Department requested that Clark County proceed with the process provided in the Act for the Obligation; and

**WHEREAS**, the Obligation is not to be repaid in whole or in part by the levy of any tax or mandatory assessment, but through the annual member per radio fee collected by SNACC, which any member may avoid by withdrawal from SNACC membership in accordance with the terms of the Cooperative Agreement, and which SNACC increased concurrent with approval of the Obligation, to be reviewed annually, to afford sufficient funding for the Obligation; and

WHEREAS, pursuant to the Act, the Board is required to publish a notice of intent to authorize the Obligation not less than 10 days prior to holding a public hearing on the intention to authorize the Obligation.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, IN THE STATE OF NEVADA THAT:**

Section 1. A public hearing is hereby authorized to be held before the Board on the intention to authorize the Obligation. Notice of intention to adopt a resolution and of a hearing thereon shall be given by one publication in a newspaper of general circulation in the County at least 10 days before the public hearing. Such Notice shall be in substantially the following form:

**NOTICE OF INTENTION TO AUTHORIZE A LEASE-PURCHASE OBLIGATION BY CLARK COUNTY, AS FISCAL ADMINISTRATOR FOR, AND WITH THE FUNDING OF, THE SOUTHERN NEVADA AREA COMMUNICATION COUNCIL (SNACC) FOR THE SNACC RADIO COMMUNICATIONS NETWORK**

Notice is hereby given that the Board of County Commissioners of Clark County, State of Nevada, (the "Board" and "County" respectively) will hold a public hearing at a regular meeting to be held on April 2, 2024, at the hour of 10:00 a.m. in the Commission Chambers, 500 S. Grand Central Parkway, Las Vegas, Nevada, to act upon a resolution authorizing the schedule A amendment to a lease-purchase agreement dated December 1, 2014, for payment by Clark County, as fiscal administrator for, and with the funding of, the Southern Nevada Area Communications Council (SNACC) for the acquisition and installation of equipment for the hardware, software, and services for upgrading the SNACC radio communications network, such obligation being in the principal amount not to exceed \$6,986,812.65.

The lease-purchase agreement is not proposed to be repaid in whole or in part by the levy of a tax, which is exempt from the limitation on ad valorem taxes, but is to be repaid within 10 years from legally available funds of SNACC administered by Clark County in the Southern Nevada Area Communications Council Fund in the estimated annual repayment amount of \$875,287.63.

The form of the resolution is to be considered by the Board after such public hearing and other information concerning such lease-purchase agreement and the purpose for which it is proposed to be used, may be examined in the office of the Chief Financial Officer, Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada.

All person are invited to attend and be heard regarding the proposed action. Prior to the hearing, written comments may be filed with the Office of the County Clerk, Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada, and will be considered.

Publication Date: March 23, 2024

/s/ Lynn Marie Goya  
County Clerk

Section 2. The officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 3. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution or part of any resolution heretofore repealed.

Section 4. If any section, paragraph, clause, or 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 provision shall in no way affect any remaining provisions of this Resolution.

Section 5. This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** March 19, 2024.

(SEAL)

Attest:

\_\_\_\_\_  
Tick Segerblom, Chair  
Board of County Commissioners

\_\_\_\_\_  
Lynn Marie Goya, County Clerk

APPROVED AS TO LEGALITY ONLY:

  
\_\_\_\_\_  
Lisa Logsdon, County Counsel

[Signature page for 2024 SNACC Lease Purchase Obligation Notice of Public Hearing Resolution, page 5 of 5, excluding Clerk's certificate]

**STATE OF NEVADA**        )  
  ) **ss.**  
**COUNTY OF CLARK**        )

I am the duly chosen and qualified County Clerk of Clark County (herein "County"), Nevada do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the Board of County Commissioners of the County (the "Board") at a meeting held on March 19, 2024.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of Board as follows:

Those Voting Aye: \_\_\_\_\_

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

3. All members of the Board were given due and proper notice of such meeting pursuant to NRS 241.020. A copy of such notice is attached hereto as Exhibit A.

4. Attached hereto as Exhibit B is an affidavit of publication of the Notice of Public Hearing.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the County March 19, 2024.

\_\_\_\_\_  
Lynn Marie Goya, County Clerk