

**A RESOLUTION APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY (WISCONSIN) OF NOT TO EXCEED \$15,000,000 OF BONDS ON BEHALF OF 100 ACADEMY OF EXCELLENCE, INC. FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED**

WHEREAS, Clark County, Nevada (the "County") is a political subdivision of the State of Nevada and the Board of County Commissioners (the "Governing Body") is the elected governing body of the County; and

WHEREAS, the Borrower (as defined below) has represented the following to the County for this resolution:

1. 100 Academy of Excellence, Inc., a Nevada nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Borrower"), has requested that the Public Finance Authority (the "Authority") issue one or more series of tax-exempt and/or taxable bonds in an aggregate principal amount not expected to exceed \$15,000,000 (the "Bonds") and loan the proceeds thereof to the Borrower to (a) finance the acquisition, construction, renovation and equipping of certain land and charter educational facilities located at 2341 Comstock Dr., North Las Vegas, Nevada 89032 (the "Facilities"), (b) pay capitalized interest on the Bonds, and (c) pay all or a portion of the costs of issuance of the Bonds (collectively, the "Project"); and
2. The proceeds of the Bonds allocated to the Project will not exceed a maximum principal amount of \$15,000,000; and
3. The Facilities are or will be owned and operated by the Borrower for use as a charter school known as "100 Academy School of Engineering and Technology"; and
4. The Bonds or a portion thereof will be "private activity bonds" and "qualified 501(c)(3) bonds" for purposes of the Internal Revenue Code of 1986, as amended (the "Code"); and
5. Pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the entire area in which the Facilities are located, after a public hearing held following reasonable public notice; and
6. The Borrower has requested that the Governing Body approve the financing of the Project and the issuance of the Bonds in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Governing Body has, following notice duly given in the form attached hereto as EXHIBIT A (the "TEFRA Notice"), held a public hearing regarding the financing of the Project and the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, NEVADA AS FOLLOWS:

1. Solely for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the Governing Body, hereby approves the plan of finance and the Project and the financing thereof through the issuance of the Bonds by the Authority in an aggregate principal amount not to exceed the amount set forth in the TEFRA Notice attached hereto as EXHIBIT A.
2. Nothing in this Resolution obligates the County to grant further approvals for the Project or any other project or constitutes a representation that any other County or other approvals needed for the Project or any other project will be granted.
3. The officers of the Governing Body are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

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ADOPTED by the Board of County Commissioners of the County at a regular meeting of said body held on the 16<sup>th</sup> day of November, 2021, by a majority vote:

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Marilyn Kirkpatrick, Chair, Board of County  
Commissioners

[Seal]

Attest:

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Lynn Marie Goya, County Clerk

**EXHIBIT A  
FORM OF TEFRA NOTICE**

**NOTICE OF PUBLIC HEARING  
BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLARK COUNTY, NEVADA  
WITH RESPECT TO AN AMOUNT NOT TO EXCEED  
\$15,000,000 OF PUBLIC FINANCE AUTHORITY (WISCONSIN)  
EDUCATION REVENUE BONDS  
(100 ACADEMY SCHOOL OF ENGINEERING AND TECHNOLOGY) SERIES 2021**

Notice is hereby given that on Tuesday, November 16, 2021, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "*Code*"), will be held by the Board of County Commissioners of Clark County, Nevada (the "*County*") with respect to the proposed issuance by the Public Finance Authority (Wisconsin) (the "*Authority*") of its Education Revenue Bonds (100 Academy School of Engineering and Technology) Series 2021, in one or more series or issuances of tax-exempt and/or taxable bonds, from time to time pursuant to a plan of finance (the "*Bonds*"), in a maximum stated principal amount not to exceed \$15,000,000. The hearing will commence at 10:00 a.m., or as soon thereafter as the matter can be heard, and will be held at the offices of the County at the Clark County Commission Chambers, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89155.

The following information was provided by the Authority for this Notice:

1. The Bonds are expected to be issued pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended (the "*Act*"), by the Authority, a commission organized pursuant to the provisions of the Constitution and laws of Wisconsin including the Act.
2. The proceeds from the sale of the Bonds will be loaned to the Borrower identified below and used for the Project identified below.
3. The Bonds will be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by an Indenture of Trust for the Bonds.

The following information was provided by 100 Academy of Excellence, Inc. (the "*Borrower*"), a Nevada nonprofit corporation and an organization described in Section 501(c)(3) of the Code, for this Notice:

- A. The Borrower has requested that the Authority issue the Bonds and loan the proceeds thereof to the Borrower to (a) finance the acquisition, construction, renovation and equipping of certain land and charter educational facilities located at 2341 Comstock Dr., North Las Vegas, Nevada 89032 (the "*Facilities*"), (b) pay capitalized interest on the Bonds, and (c) pay all or a portion of the costs of issuance of the Bonds (collectively, the "*Project*").

- B. The Facilities are or will be owned and operated by the Borrower for use as a charter school known as "100 Academy School of Engineering and Technology ".

The hearing will provide a reasonable opportunity to be heard for persons wishing to express their views on the merits of the Project, the location of the Facilities, the issuance of the Bonds or related matters. Written comments will be accepted by the County at 500 South Grand Central Parkway, Las Vegas, Nevada 89155, but must be received on or before the time and date of the hearing. The Clark County Commission Chambers are accessible to individuals with disabilities. With twenty-four (24) hour advance request, a sign language interpreter may be made available by calling (702) 455-3530, TDD (702) 385-7486, or Relay Nevada toll free (800) 326-6868, TT/TDD. Assistive listening devices are available upon request at the staff table.

Dated: November 9, 2021.