

Summary - a resolution regarding acceptance of the Second Amended and Restated Contract for the Joint Use of a Geothermal Resource.

## **RESOLUTION**

### **A RESOLUTION AUTHORIZING ACCEPTANCE OF THE SECOND AMENDED AND RESTATED CONTRACT FOR THE JOINT USE OF A GEOTHERMAL RESOURCE.**

**WHEREAS**, the Board of Governors of Elko Convention and Visitors Authority, Nevada (the "Board", "Authority", and "State", respectively) entered into the Amended and Restated Interlocal Contract for the Joint Use of a Geothermal Resource (the "Amended Contract") in December, 2007, with other Public Agencies; and

**WHEREAS**, the Amended Contract was established for the purpose of accomplishing the joint use of a geothermal resource by the Authority and other Public Agencies as signers of the Amended Contract; and

**WHEREAS**, a Second Amended and Restated Contract for the Joint Use of a Geothermal Resource (the "Second Amended Contract") was subsequently created; and

**WHEREAS**, the Second Amended Contract was purportedly offered as a mechanism for withdrawal of certain Public Agencies and the continuing relationship of others; and

**WHEREAS**, all comments made at the ECVA Board meeting held on this date on the adoption of this resolution have been fully considered by the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE ELKO CONVENTION AND VISITORS AUTHORITY, NEVADA:**

Section 1. The Board hereby designates this resolution as the "Resolution Authorizing Acceptance of the Second Amended and Restated Contract for the Joint Use of a Geothermal Resource" (the "Resolution") and finds and determines that the public interest requires acceptance of the Second Amended Contract.

STATE OF NEVADA )  
 )  
COUNTY OF ELKO ) ss.  
 )

I am the duly qualified Executive Director of Elko Convention and Visitors Authority, Nevada (the "Authority" and the "State") do hereby certify:

1. The foregoing pages are true, perfect and a complete copy of a resolution of the Board of Governors (the "Board"), adopted at a lawful meeting of the Board held on October 8, 2024, as recorded in the official record of the proceedings of the Authority kept in my office.

2. The proceedings were duly had and taken as therein shown and the persons therein named were present at said meeting and voted on the resolution as follows:

Those Voting Aye:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Voting Nay:

Those Absent:

3. All members of the Board were duly notified of the meeting.

4. Public notice of such meeting was posted, and such meeting was held and conducted in full compliance with the provisions of NRS 241.020.

5. A copy of the minutes of the public hearing held on October 8, 2024, is attached hereto as Exhibit A. A copy of the notice of the meeting as posted and delivered is attached hereto as Exhibit B.

**IN WITNESS WHEREOF**, I have hereunto set my hand on behalf of the Authority on October 8, 2024.

\_\_\_\_\_  
Executive Director

**EXHIBIT B**

**(Attach Copy of Agenda of October 8, 2024)**