

RESOLUTION R23-029

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, NEVADA
PROVIDING FOR THE TRANSFER OF THE CITY'S 2023 PRIVATE ACTIVITY BOND
VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER
MATTERS RELATED THERETO**

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Mesquite in Clark County, Nevada (the "City," "County" and "State," respectively), the amount of \$1,321,350.47 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("*Single Family Programs*"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2023 Bond Cap in the amount of \$1,321,350.47 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the “Director”) may contact Peter Jankowski, City Manager, City of Mesquite, regarding this Resolution at (702) 346-5295 or by email at CityManager@MesquiteNV.Gov or in writing at 10 E. Mesquite Boulevard, Mesquite, Nevada 89027.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.


Section 9. Enforceability. 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 not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 27th day of June, 2023.

CITY OF MESQUITE, NEVADA

By 
Allan S. Litman, Mayor

ATTEST:

By 
Tracy E. Beck, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Tracy Beck, am the duly chosen and qualified City Clerk of the City of Mesquite, Nevada (the "City") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the private activity bond volume cap allocated to the City in the amount of \$1,321,350.47 has been transferred as follows:

\$1,321,350.47 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Clark County to the Nevada Rural Housing Authority, a local government, located within Clark County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

CITY OF MESQUITE, NEVADA

By 
Tracy Beck, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 9181

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RENO, NEVADA, TO TRANSFER TO THE DIRECTOR OF THE NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY ALL OF THE CITY OF RENO'S PRIVATE ACTIVITY BOND CAP FOR 2022 TO RENO HOUSING AUTHORITY, FOR THE BENEFIT OF THE PROJECT IDENTIFIED AS "HAWK VIEW APARTMENTS" AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, Section 146 of the Internal revenue Code of 1986, as amended (the "Internal Revenue Code"), imposes an annual dollar limit (the "State Ceiling") on the amount of the private activity bonds (which, as defined herein, would include "Bonds") which can be issued in each State, the interest on which is exempt from federal income taxes, and provides that each state may determine the method by which its State Ceiling for each year is to be allocated among the issues of the state; and,

WHEREAS, under the provisions of Chapter 348A of the Nevada Revised Statutes, as amended (the "Allocation Act"), and Regulations thereunder adopted by the Director of the Department of Business and Industry (the "Director") in NAC Chapter 348A (the "Allocation Regulation"), Nevada's Volume Cap is allocated between the Director and local governments; and,

WHEREAS, in accordance with the provision of the Allocation Act and Allocation Regulations, the Director has determined that the City's share of the State Ceiling (hereafter referred to as "Volume Cap") for 2023 is approximately \$16,312,564, none of which has already been used by the City; and,

WHEREAS, Reno Housing Authority needs \$39.5 million in volume cap for its project and has requested that the City transfer all its 2023 Volume Cap to the State of Nevada Department of Business and Industry for the purpose of contributing to financing the redevelopment of Hawk View Apartments that will provide decent, safe and sanitary dwellings, with all the units committed to persons of low income and at affordable rents; and,

WHEREAS, Section 348A.040 of the Nevada Revised Statutes authorizes the Director to adopt regulations to facilitate the use of the Volume Cap; and,

WHEREAS, the Director has adopted such regulations and Section 348A.220 of the Allocation Regulations provides a procedure whereby the City may, by resolution, transfer all or any portion of its Volume Cap to the Director to induce the Director to provide financing to a project which will provide a public benefit to the citizens of the City of Reno; and,

WHEREAS, State of Nevada Department of Business and Industry (the Department) is a recognized government eligible to provide the services and pursuant to NRS 315.983(1)(a); and,

WHEREAS, the City desires to transfer all of its 2023 Volume Cap allocation to the Department for assistance to redevelop Hawk View Apartments; and,

WHEREAS, the City anticipates that it will incur no cost or liability in connection with the issuance of the Bonds; and,

WHEREAS, this Council has determined that there is a need for affordable rental housing in the City (such as those provided by the redeveloped units at Hawk View Apartments), and low-income residents of the City will benefit from the Hawk View Apartments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Reno, Nevada, as follows:

Section 1. Transfer. The City of Reno, Nevada hereby transfers all its 2023 Volume Cap allotment to the Director of the Department of Business and Industry with the understanding that the Director will utilize to contribute to the issuance of private activity bonds for the following project:

Amount	Project
All of the City of Reno's 2023 Volume Cap allocation*	Hawk View Apartments, a proposed redevelopment of 100 affordable units, and the construction of an additional 100 units for low income residents located at 1548 Steelwood Ln., Reno, NV.
*Applicant needs \$39.5 million in Volume Cap and has requested that City transfer all of its Volume Cap to the Director and requests that the Director augment from State's allocation the remainder. In the event that sufficient Volume Cap is not available for the Project, the Director is requested to confer with the City for other allocations.	

Section 2. Public Benefit. This Council determines that the City of Reno, Nevada, will benefit from the financing through increased availability of funds for barrier-free and affordable multi-family rental housing within the City.

Section 3. Fees. The project sponsor shall pay all fees, in accordance with NAC348A.300.

Section 4. City Representative. Any communication with the City regarding this matter should be with Monica Cochran, Housing and Neighborhood Development, by email at cochranm@reno.gov. Correspondence by United States Postal Service should be mailed to PO Box 1900, Reno, Nevada, 89505.

Section 5. Filing. The City Clerk is hereby directed to deliver to the Director and to the secretary of the State Board of Finance a certified copy of this resolution and any other report, accounting or document necessary to accomplish this transfer within five days after the adoption of this resolution.

Section 6. Authority of the City Manager or Assistant Manager. Without any further action by this Council, the City Manager or any Assistant City Manager is authorized and directed (i) to enter into any project agreement regarding the transfer and use of this City's Volume Cap, pre-financing conditions and rights and obligations of the City and developer of the project; (ii) to approve any changes to the project name, description of financing arrangements and any project agreements entered into between the City and project owners to reflect changes in the project as it qualifies for financing; and (iii) to make any certifications or representations and enter into any agreements necessary to complete, document, account for and effectuate this transfer.

Section 7. General Provisions. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provision of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. This Resolution shall be in full force and effect forthwith after its adoption. If any provision in this resolution is deemed void, invalid, or

unenforceable by a court of competent jurisdiction, then such offending provision shall be deemed, from the very beginning to be modified to bring it within the limits of validity, but if it cannot be so modified, then it shall be severed from this resolution and all of the remaining provisions shall remain in full force and effect.

Upon motion of Council Member Ebert, seconded by Council Member Reese, the foregoing resolution was adopted this 23rd day of August, 2023, by the following vote of the Council:


AYES:	<u>Ebert, Reese, Duerr, Martinez, Taylor, Schieve</u>
NAYS:	<u>None</u>
ABSTAIN:	<u>None</u>
ABSENT:	<u>Brekhus</u>

APPROVED this 23rd day of August, 2023.



ANTHONY L. SCHIEVE

CLERK OF THE CITY OF RENO

ATTEST:


MIKKI HUNTSMAN
CITY CLERK AND CLERK OF THE CITY
COUNCIL OF THE CITY OF RENO, NEVADA





City of Sparks

CERTIFICATE OF TRANSFER

TO: Secretary, Director, Department of Business & Industry
 State Board of Finance Office of Business Finance & Planning
 State Capital 3300 West Sahara Avenue
 101 North Carson St. Suite 4 Suite 425
 Carson City, Nevada 89701 Las Vegas, Nevada 89102


THIS IS TO CERTIFY that attached is a true and correct copy of Resolution No. 3430 adopted by the City Council of the City of Sparks, Nevada, transferring its volume cap pursuant NRS Chapter 348A NAC Chapter 348A as follows:

To the State of Nevada, Department of Business and Industry, Housing Division for the following "Projects".

Amount	Project
\$4,986,751.66	To the Nevada Housing Division (NHD) for use in its Affordable Housing Programs

Dated this 14th day of August, 2023

City of Sparks, Nevada

By 
 Lisa Hunderman
 City Clerk



RESOLUTION NO.3430

INTRODUCED BY COUNCIL

A RESOLUTION TRANSFERRING 2023 PRIVATE ACTIVITY BOND CAPACITY TO THE NEVADA HOUSING DIVISION (NHD) FOR USE IN THEIR RESPECTIVE AFFORDABLE HOUSING PROGRAMS

WHEREAS Section 146 of the Internal Revenue Code of 1986, as amended (the “Internal Revenue Code”), imposes an annual dollar limit (the “**State Ceiling**”) on the amount of private activity bonds (which, as defined herein, would include “**Bonds**”) which can be issued in each State, the interest on which is exempt from federal income taxes, and provides that each state may determine the method by which its State Ceiling for each year is to be allocated among the issuers of the state; and

WHEREAS under the provisions of Chapter 348A of the Nevada Revised Statutes, as amended (the “**Allocation Act**”), and Regulations thereunder adopted by the Director of the Department of Business and Industry (the “**Director**”) in NAC Chapter 348A (the “**Allocation Regulations**”), Nevada’s State is allocated between the Director and local governments; and

WHEREAS in accordance with the provisions of the Allocation Act and Allocation Regulations, the Director has determined that the City’s share of the State Ceiling (hereafter referred to as “**Volume Cap**”) for 2023 is \$6,649,002.22, of which none has been heretofore used by the City; and

WHEREAS the Nevada Housing Division (NHD) has requested allocation of the City’s 2023 Volume Cap in the amount of \$4,986,751.66 for the purpose of providing a means of financing their respective single-family residential housing mortgage and other affordable housing programs to provide decent, safe and sanitary dwellings for persons of low and moderate incomes (“**Affordable Housing Programs**”); and

WHEREAS Section 348A.180 of the Allocation Regulations provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same city, all or any portion of its Volume Cap; and

WHEREAS NHD is recognized as eligible to provide the services and pursuant to NRS 315.983 (1) (a); and

WHEREAS the City desires to transfer seventy-five (75) percent or \$4,986,751.66 of its unused 2023 Volume Cap allocation to NHD in for their respective Affordable Housing Programs; and

WHEREAS the City anticipates that it will be unable to otherwise utilize its Volume Cap for 2023, and will incur no cost or liability in connection with the issuance of the Bonds; and

WHEREAS this Council has determined that there is a need for affordable housing in the City and that residents of the City will benefit from the Affordable Housing Programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARKS, NEVADA, AS FOLLOWS:

Section 1. Business Impact. Prior to enactment of the following provisions, the Council determines that this resolution does not impose any direct and significant economic burden on a business nor is it likely to directly restrict the information, operation or expansion of a business within the meaning of NRS Chapter 237.

Section 2. Transfer. The City of Sparks, Nevada hereby transfers the following amounts of its 2023 Volume Cap to the following Transferee for the following **“Projects.”**

Amount	Transferees/Project	Fee
Total Amount \$4,986,751.66	To the Nevada Housing Division (NHD) for use in its Affordable Housing Programs	Waived

Section 3. Reservation of Volume Cap. All 2023 Volume Cap allocated to the City Sparks which has not been transferred or used (i.e. industrial development bonds or housing bonds for which Volume Cap has been allocated are not issued) is hereby transferred to NHD.

Section 4. Fees. The City hereby waives the collection of fees, in accordance with NAC 348A.300.

Section 5. Filing. The City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this resolution with the Director and with the Secretary of the State Board of Finance within five days after the adoption of this resolution. The Director and Secretary may rely on the receipt of this Resolution as an acknowledgement fees have been paid or otherwise provided for to the satisfaction of the City.

Section 6. Contact.

a. **The City of Sparks:** The person to contact regarding this resolution or other matters involving volume cap is the City’s Director of Finance, Jeff Cronk, who may be contacted at (775) 353-2301, and whose office is at 431 Prater Way, Sparks, Nevada 89432-0857

b. For NHD: The person to contact regarding the use of the Volume Cap by NHD is Steve Aichroth, Administrator, whose phone number is (775) 687-2240, and address is State of Nevada, Department of Business & Industry, Housing Division, 1830 College Parkway, Suite 200, Carson City, Nevada 89706

Section 7. General Provisions. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. In the event that any provision in this resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this resolution and all remaining provisions shall remain in full force and effect.

PASSED AND ADOPTED this 14th day of August, 2023, by the following vote of the City Council:

AYES: Abbott, VanderWell, Anderson, Bybee, Dahir

NAYS: N/A


ABSENT: N/A

APPROVED this 14th day of August 2023 by:

Ed Lawson
Ed Lawson, Mayor

Attest:

Approved as to form and legality


Lisa Hunderman, City Clerk
City of Sparks, Nevada



Wes Duncan
Wes Duncan, City Attorney
City of Sparks, Nevada



City of Sparks

CERTIFICATE OF TRANSFER

TO: Secretary, Director, Department of Business & Industry
 State Board of Finance Office of Business Finance & Planning
 State Capital 3300 West Sahara Avenue
 101 North Carson St. Suite 4 Suite 425
 Carson City, Nevada 89701 Las Vegas, Nevada 89102


THIS IS TO CERTIFY that attached is a true and correct copy of Resolution No. 3431 adopted by the City Council of the City of Sparks, Nevada, transferring its volume cap pursuant NRS Chapter 348A NAC Chapter 348A as follows:

To the Nevada Rural Housing Authority for the following "Projects".

Amount	Project
\$1,662,250.56	To the Nevada Rural Housing Authority (NRHA) for use in its Affordable Housing Programs

Dated this 14th day of August 2023

City of Sparks, Nevada

By 
 Lisa Hunderman
 City Clerk

RESOLUTION NO.3431

INTRODUCED BY COUNCIL

A RESOLUTION TRANSFERRING 2023 PRIVATE ACTIVITY BOND CAPACITY TO THE NEVADA RURAL HOUSING AUTHORITY (NRHA) FOR USE IN THEIR RESPECTIVE AFFORDABLE HOUSING PROGRAMS

WHEREAS Section 146 of the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"), imposes an annual dollar limit (the "**State Ceiling**") on the amount of private activity bonds (which, as defined herein, would include "Bonds") which can be issued in each State, the interest on which is exempt from federal income taxes, and provides that each state may determine the method by which its State Ceiling for each year is to be allocated among the issuers of the state; and

WHEREAS under the provisions of Chapter 348A of the Nevada Revised Statutes, as amended (the "Allocation Act"), and Regulations thereunder adopted by the Director of the Department of Business and Industry (the "**Director**") in NAC Chapter 348A (the "**Allocation Regulations**"), Nevada's State is allocated between the Director and local governments; and

WHEREAS in accordance with the provisions of the Allocation Act and Allocation Regulations, the Director has determined that the City's share of the State Ceiling (hereafter referred to as "**Volume Cap**") for 2023 is \$6,649,002.22, of which none has been heretofore used by the City; and

WHEREAS the Nevada Rural Housing Authority (NRHA) has requested allocation of the City's 2023 Volume Cap in the amount of twenty-five (25) percent or \$1,662,250.56 for the purpose of providing a means of financing their respective single-family residential housing mortgage and other affordable housing programs to provide decent, safe and sanitary dwellings for persons of low and moderate incomes ("**Affordable Housing Programs**"); and

WHEREAS Section 348A.180 of the Allocation Regulations provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same city, all or any portion of its Volume Cap; and

WHEREAS NRHA is recognized as eligible to provide the services and pursuant to NRS 315.983 (1) (a); and

WHEREAS the City desires to transfer twenty-five (25) percent or \$1,662,250.56 of its unused 2023 Volume Cap allocation to NRHA in for their respective Affordable Housing Programs; and

WHEREAS the City anticipates that it will be unable to otherwise utilize its Volume Cap for 2023, and will incur no cost or liability in connection with the issuance of the Bonds; and

WHEREAS this Council has determined that there is a need for affordable housing in the City and that residents of the City will benefit from the Affordable Housing Programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARKS, NEVADA, AS FOLLOWS:

Section 1. Business Impact. Prior to enactment of the following provisions, the Council determines that this resolution does not impose any direct and significant economic burden on a business nor is it likely to directly restrict the information, operation or expansion of a business within the meaning of NRS Chapter 237.

Section 2. Transfer. The City of Sparks, Nevada hereby transfers the following amounts of its 2023 Volume Cap to the following Transferee for the following "Projects."

Amount	Transferees/Project	Fee
Total Amount \$1,662,250.56	To the Nevada Rural Housing Authority (NRHA) for use in its Affordable Housing Programs	Waived

Section 3. Reservation of Volume Cap. All 2023 Volume Cap allocated to the City Sparks which has not been transferred or used (i.e. industrial development bonds or housing bonds for which Volume Cap has been allocated are not issued) is hereby transferred to NRHA.

Section 4. Fees. The City hereby waives the collection of fees, in accordance with NAC 348A.300.

Section 5. Filing. The City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this resolution with the Director and with the Secretary of the State Board of Finance within five days after the adoption of this resolution. The Director and Secretary may rely on the receipt of this Resolution as an acknowledgement fees have been paid or otherwise provided for to the satisfaction of the City.

Section 6. Contact.

a. The City Sparks: The person to contact regarding this resolution or other matters involving volume cap is the City's Director of Finance, Jeff Cronk, who may be contacted at (775) 353-2301, and whose office is at 431 Prater Way, Sparks, Nevada 89432-0857

b. NRHA: The person to contact regarding the use of the Volume Cap by NRHA is Diane Arvizo, Director of Homebuyer Services, whose phone is (775) 886-7900, and address is Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 7. General Provisions. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. In the event that any provision in this resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this resolution and all remaining provisions shall remain in full force and effect.

PASSED AND ADOPTED this 14th day of August, 2023, by the following vote of the City Council:

AYES: Abbott, VanderWell, Anderson, Bybee, Dahir

NAYS: N/A


ABSENT: N/A

APPROVED this 14th day of August 2023 by:

Ed Lawson
Ed Lawson, Mayor

Attest:

Approved as to form and legality


Lisa Hunderman, City Clerk
City of Sparks, Nevada



Wes Duncan
Wes Duncan, City Attorney
City of Sparks, Nevada

RESOLUTION NO. 23-12

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WELLS, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Wells, Elko, Nevada (the "City," "County" and "State," respectively), the amount of \$75,692.76 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2023 Bond Cap in the amount of \$75,692.76 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Jason Pengelly, City Manager, City of Wells, regarding this Resolution at (775) 752-3355 or by email at citymanager@cityofwellsnv.com or in writing at P.O. Box 366, Wells, Nevada 89835.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at diane@nvrural.org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. 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 not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 27th day of JUNE, 2023.

CITY OF WELLS, NEVADA

By  _____
Gary Pollock, Mayor

ATTEST:

By  _____
Samantha Nance, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Samantha Nance, am the duly chosen and qualified City Clerk of the City of Wells, Nevada (the "City") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the private activity bond volume cap allocated to the City in the amount of \$75,692.76 has been transferred as follows:

\$75,692.76 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Elko County to the Nevada Rural Housing Authority, a local government, located within Elko County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

CITY OF WELLS, NEVADA

By  _____
Samantha Nance, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION No. 2023-08

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST WENDOVER, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of West Wendover, Elko County, Nevada (the "City," "County" and "State," respectively), the amount of \$265,638.75 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("*Single Family Programs*"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2023 Bond Cap in the amount of \$265,638.75 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the “Director”) may contact Chris J. Melville, City Manager, City of West Wendover, regarding this Resolution at (775) 664-3081 or by email at CMelville@WestWendoverCity.Com or in writing at P.O. Box 2825, West Wendover, Nevada 89883.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of Nevada Rural Housing Authority regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

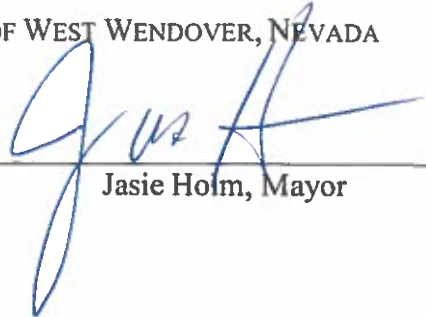
Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. 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 not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 6 day of June, 2023.

CITY OF WEST WENDOVER, NEVADA

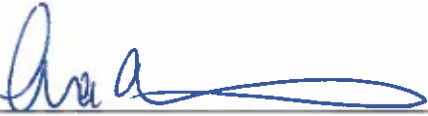
By



Jasie Holm, Mayor

ATTEST:

By



Anna E. Bartlome, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Anna Bartlome, am the duly chosen and qualified City Clerk of the City of West Wendover, Nevada (the "City") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the private activity bond volume cap allocated to the City in the amount of \$265,638.75 has been transferred as follows:

\$265,638.75 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Elko County to the Nevada Rural Housing Authority, a local government, located within Elko County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

CITY OF WEST WENDOVER, NEVADA

By  _____
Anna E. Bartlome, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

SUMMARY: Authorizes transfer of the City 2023 private activity bond cap to the Nevada Rural Housing Authority.

RESOLUTION NUMBER 2023-06

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Winnemucca, Humboldt County, Nevada (the "City", the "County" and the "State," respectively) a tax-exempt private activity bond cap for calendar year 2023 ("2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority ("NRHA") has requested that the City transfer the 2023 Bond Cap to NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, pursuant to NRS 315.983(1)(a), NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, NAC 348A.180 provides a procedure whereby a local government may, by resolution, transfer to any other local government located within the same county all or any portion of the local government private activity bond cap; and

WHEREAS, NRHA is located within the City and County, pursuant to NRS 315.963, which defines the NRHA area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more" ("Area of Operation"); and

WHEREAS, the City has agreed to transfer the 2023 Bond Cap to NRHA for the requested purposes; now, therefore,

THE CITY COUNCIL OF THE CITY OF WINNEMUCCA DOES RESOLVE:

1. **Recitals.** The recitals set forth above are true and correct in all material respects.
2. **Transfer of Private Activity Bond Cap.** Pursuant to NAC 348A.180, the City hereby transfers the unused portion of the 2023 Bond Cap to the NRHA for its Single Family Programs.
3. **Conditions on Transfer.** The transfer of the unused 2023 Bond Cap to the NRHA is subject to the condition that the NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023, or carry forward any remaining amount according to the federal tax code for such purposes.

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\$509,071.93

4. **Representative of City.** Pursuant to NAC 348A.180(1), the Director may contact the City Manager of the City, regarding this resolution, at (775) 623-6333 or in writing at Winnemucca City Hall, 90 W. Fourth St., Winnemucca, Nevada 89445.

5. **Additional Action.** The Mayor, Clerk, Deputy Clerk and City Manager of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the unused 2023 Bond Cap and carry out the duties of City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Chapter 348A.

6. **Direction to NRHA.** NRHA shall notify the Director of the Nevada Department of Business and Industry (the "Director") in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

7. **Representative of NRHA.** Pursuant to NAC 348A.180(3), the Director may contact the NRHA Director of Homebuyer Services regarding this resolution at (775) 886-7900 or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Suite 105, Carson City, Nevada 89701.

8. **Obligations of City.** This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City, and nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

9. **Enforceability.** 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 not affect any of the remaining provisions of this resolution.


PASSED AND ADOPTED: June 6, 2023

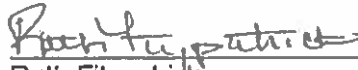
VOTE OF CITY COUNCIL:

Ayes: Council members: Owens, Mavity, Mendiola, Billingsley, Coats
Nays: Council members: _____
Absent: Council members: _____
Not Voting: Council members: _____

APPROVED:

ATTEST:


Richard Stone
Mayor



Ruth Fitzpatrick
City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Ruth Fitzpatrick, am the duly appointed and qualified City Clerk of the City of Winnemucca, Nevada (the "City") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the unused portion of the private activity bond volume cap allocated to the City for 2023, will be transferred as follows:

1. The private activity bond volume cap allocated to the City for 2023 will be transferred pursuant to NAC 348A.180(2) from the City, a local government located in Humboldt County, Nevada, to the Nevada Rural Housing Authority, a local government located within Humboldt County, Nevada, for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is executed for filing in accordance with NAC 348A.260 subsequent to adoption by the City of a resolution authorizing the transfer of the private activity bond volume cap.



Ruth Fitzpatrick, City Clerk
Winnemucca, Nevada