

RESOLUTION NO. 2022-R-31

A RESOLUTION PROVIDING FOR THE TRANSFER OF CARSON CITY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE DIRECTOR OF THE NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY FOR CONSTRUCTION OF SIERRA FLATS APARTMENTS PHASE II LOCATED AT 3320 BUTTI WAY, ASSESSOR'S PARCEL NUMBER ("APN") 010-037-06.

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("*NRS*") and Chapter 348A of the Nevada Administrative Code ("*NAC*"), there is anticipated to be allocated to Carson City, Nevada (the "*City*"), the amount of approximately \$3,000,000 tax-exempt private activity bond volume cap for year 2023 (the "*2023 Bond Cap*"); and

WHEREAS, Sierra Flats Family LLC (the "*Applicant*"), has requested that the City's 2023 Bond Cap be allocated to it for the purpose of constructing Sierra Flats Apartments Phase II, 80 apartment units that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income (the "*Project*"); 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 the Director (the "*Director*") of the Nevada Department of Business and Industry (the "*Department*") all or any portion of its private activity bond volume cap for any specified project; and

WHEREAS, Sierra Flats Family LLC plans to submit an application to the Department to use the City's 2023 Bond Cap allocation to help finance the construction of Sierra Flats Apartments Phase II, located at 3320 Butti Way, APN 010-037-06; and

WHEREAS, the City encourages the creation of affordable housing for its residents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Carson City does hereby find, resolve, determine and order as follows:

Section 1. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2023 Bond Cap in an amount equal to the final amount of the City's 2023 Bond Cap, as determined by the Department, to the Director of the Department for allocation to the Sierra Flats Apartments Phase II Project.

Section 2. Use of 2023 Bond Cap. The Applicant will use the 2023 Bond Cap for the construction of the Sierra Flats Apartments Phase II Project.

Section 3. Representative of City. Pursuant to NAC 348A.180(1), the Director may contact Nancy Paulson regarding this resolution at (775) 887-2100 or in writing at 201 N. Carson Street, Suite 2, City Hall, Carson City, NV 89701

Section 4. Additional Action. The Mayor and Clerk-Recorder 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 Chapter 348A.

Section 5. Direction to the Applicant. The Applicant 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 6. Representative of the Applicant. Pursuant to NAC 348A.180(3), the Director may contact Michael Snodgrass of Sierra Flats Family LLC regarding this resolution at (816) 352-4258 or in writing at 1712 Main Street, Suite 206, Kansas City, MO 64108.


Section 7. 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 8. 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.

Upon motion by Supervisor Stacey Giomi, seconded by Supervisor Stan Jones, the foregoing resolution was passed and adopted this 17th day of November, 2022 by the following vote:


AYES: Supervisor Stacey Giomi
Supervisor Stan Jones
Supervisor Lisa Schuette
Mayor Lori Bagwell

NAYS: Supervisor Maurice White
ABSENT: None
ABSTAIN: None



Lori Bagwell, Mayor
Carson City, Nevada

ATTEST:


Aubrey Rowlatt, Clerk-Recorder
Carson City, Nevada

RESOLUTION NO. 17-2023

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHURCHILL COUNTY,
NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'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 Churchill County, Nevada (the "*County*"), the amount of \$1,026,850.87 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 County 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 County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2022 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State of Nevada (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 Board of Commissioners of the County 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 County hereby transfers its 2023 Bond Cap in the amount of \$1,026,850.87 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 County. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Jim Barbee, County Manager, Churchill County, regarding this Resolution at (775) 423-5136 or by email at jim.barbee@churchillcountynv.gov or in writing at 155 N. Taylor Street, Suite 153, Fallon, Nevada 89406.

Section 5. Additional Action. The Chair of the Board of County Commissioners and the Clerk of the County 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 County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 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 County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County 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

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ADOPTED, SIGNED AND APPROVED this 21st day of June, 2023.

BOARD OF COUNTY COMMISSIONERS
CHURCHILL COUNTY, NEVADA

By 
Justin Heath, Vice-Chair

ATTEST:

By 
Pamela D. Moore, Deputy Clerk of the Board

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Linda Rothery, am the duly chosen and qualified County Clerk of Churchill County, Nevada (the "*County*") and in the performance of my duties as County 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 2022 private activity bond volume cap allocated to the County in the amount of \$940,931.09 has been transferred as follows:

\$1,026,850.87 has been transferred pursuant to NAC 348A.180 from the County, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within Churchill 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.

CHURCHILL COUNTY, NEVADA

By 
Linda Rothery, County Clerk/Treasurer

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 7645

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOULDER CITY, 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 Boulder City, Clark County, Nevada (the "City," "County" and "State," respectively), the amount of \$893,317.41 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 \$893,317.41 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 Taylour Tedder, City Manager, Boulder City, regarding this Resolution at (702) 293-9202 or by email at TTedder@BCNV.Org or in writing at City of Boulder City, 401 California Avenue, Boulder City, Nevada 89005.

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 14 day of June, 2023.

CITY OF BOULDER CITY, NEVADA

By 
Joe Hardy, Mayor

ATTEST:

By 
Tami McKay, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Tami McKay, am the duly chosen and qualified City Clerk of the City of Boulder City, 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 \$893,317.41 has been transferred as follows:

\$893,317.41 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 BOULDER CITY, NEVADA

By Tami McKay
Tami McKay, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 2023-02

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIENTE, 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 Caliente, Lincoln County, Nevada (the "City," "County" and "State," respectively), the amount of \$69,444.54 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 \$69,444.54 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 Craig Roisum, City Manager, City of Caliente, regarding this Resolution at (775) 726-3131 or by email at cityclerk@cityofcaliente.com or in writing at P.O. Box 1006, Caliente, Nevada 89008.

Section 5. Additional Action. The Mayor and City 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 15th day of June, 2023.

CITY OF CALIENTE, NEVADA

By 
Steve Rowe, Mayor

ATTEST:

By 
Craig Rojsum, City Manager

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Craig Roisum, am the duly chosen and qualified City Manager of the City of Caliente, Nevada (the "City") and in the performance of my duties as City Manager 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 \$69,444.54 has been transferred as follows:

\$69,444.54 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Lincoln County to the Nevada Rural Housing Authority, a local government, located within Lincoln 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 CALIENTE, NEVADA

By 

Craig Roisum, City Manager

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 2023-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLIN, 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 Carlin, in Elko County, Nevada (the "*City*," "*County*" and "*State*," respectively), the amount of \$150,611.94 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 \$150,611.94 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 Madison Mahon, City Manager, City of Carlin, regarding this Resolution at (775) 754-6354 or by email at MMahon@CityOfCarlin.Com or in writing at P.O. Box 787, Carlin, Nevada 89822.

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 14th day of June, 2023.

CITY OF CARLIN, NEVADA

By *Dana Holbrook*
Dana Holbrook, Mayor

ATTEST:

By *LaDawn Lawson*
LaDawn Lawson, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, LaDawn Lawson, am the duly chosen and qualified City Clerk of the City of Carlin, 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 \$150,611.94 has been transferred as follows:

\$150,611.94 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 CARLIN, NEVADA

By LaDawn Lawson
LaDawn Lawson, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

Upon introduction and motion by Councilmember Puccinelli and seconded by Councilmember Stone the following Resolution and Order was duly passed and adopted.

RESOLUTION NO. 12-23

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELKO, 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 Elko, Elko County, Nevada (the "*City*," "*County*" and "*State*," respectively), the amount of \$1,267,675.25 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 \$1,267,675.25 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 Jan Baum, City Manager, City of Elko, regarding this Resolution at (775) 777-7111 or by email at jbaum@elkocitynv.gov or in writing 1751 College Avenue, Elko, Nevada 89801.

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 ELKO, NEVADA

By 
Reece Keener, Mayor

ATTEST:

By 
Kelly Wooldridge, City Clerk

Votes:

Ayes: Mayor Reece Keener, Councilmember Chip Stone & Councilmember Giovanni Puccinelli

Nays:

Absent: Councilmember Mandy Simons & Councilmember Clair Morris

Abstain:


CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Kelly Wooldridge, am the duly chosen and qualified City Clerk of the City of Elko, 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 \$1,267,675.25 has been transferred as follows:

\$1,267,675.25 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 ELKO, NEVADA

By 
Kelly Wooldridge, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority