

**RESOLUTION No. 22-08**

**RESOLUTION OF THE CITY COUNCIL OF FALLON, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2022 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 Fallon, in Churchill County, Nevada (the "City," "County" and "State," respectively), the amount of \$498,135.64 in tax-exempt private activity bond volume cap for year 2022 (the "2022 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2022 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 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; 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 2022 Bond Cap in the amount of \$498,135.64 to the NRHA for its Single Family Programs.

*Section 3. Use of 2022 Bond Cap.* The NRHA will use the 2022 Bond Cap for single family purposes in calendar year 2022 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 Sean Richardson, City Clerk Treasurer, City of Fallon, regarding this Resolution at (775) 423-5104 or by email at ELee@FallonNevada.Gov or in writing at 55 West Williams Avenue, Fallon, Nevada 89406.

**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 2022 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 2022 Bond Cap.

**Section 7. Representative of the NRHA.** Pursuant to NAC 348A.180(3), the Director of Business and Industry 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 2<sup>nd</sup> day of August, 2022.

CITY OF FALLON, NEVADA

By Ken Tedford  
Ken Tedford, Mayor

ATTEST:

By Sean Richardson  
Sean Richardson, City Clerk Treasurer

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**CERTIFICATE OF TRANSFER OF VOLUME CAP**

I, Sean Richardson, am the duly chosen and qualified Deputy City Clerk/Treasurer of the City of Fallon, 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 2022 private activity bond volume cap allocated to the City in the amount of \$498,135.64 has been transferred as follows:

\$498,135.64 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Churchill County 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.

CITY OF FALLON, NEVADA

By   
Sean Richardson, City Clerk Treasurer

cc: Diane Arvizo, Nevada Rural Housing Authority

**RESOLUTION No. 22-016**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNLEY, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2022 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 Fernley, Lyon County, Nevada (the "City," "County" and "State," respectively), the amount of \$1,155,428.56 in tax-exempt private activity bond volume cap for year 2022 (the "2022 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2022 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 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; 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 of Fernley 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 2022 Bond Cap in the amount of \$1,155,428.56 to the NRHA for its Single Family Programs.

*Section 3. Use of 2022 Bond Cap.* The NRHA will use the 2022 Bond Cap for single family purposes in calendar year 2022 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 Daphne Hooper, City Manager, City of Fernley, regarding this Resolution at (775) 784-9864 or by email at DHooper@CityOfFernley.Org or in writing at City of Fernley, 595 Silver Lace Blvd., Fernley, Nevada 89408.

*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 2022 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 2022 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.

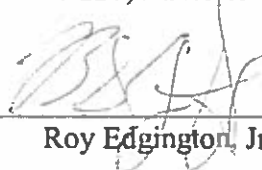
*Section 8. Obligation of the City.* This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals 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 15 day of June 2022.

CITY OF FERNLEY, NEVADA

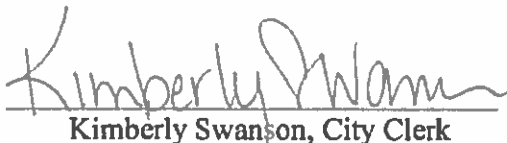
By



Roy Edgington, Jr., Mayor

ATTEST:

By



Kimberly Swanson, City Clerk

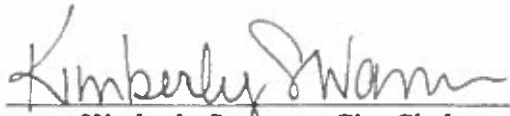
**CERTIFICATE OF TRANSFER OF VOLUME CAP**

I, Kimberly Swanson, am the duly chosen and qualified City Clerk of the City of Fernley, 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 \$1,155,428.56 has been transferred as follows:

\$1,155,428.56 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Lyon County to the Nevada Rural Housing Authority, a local government, located within Lyon 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 FERNLEY, NEVADA

By   
Kimberly Swanson, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

**RESOLUTION NO. 164**

RESOLUTION OF THE CITY OF HENDERSON, NEVADA PUBLIC IMPROVEMENT TRUST PROVIDING FOR THE TRANSFER OF ALL OF THE CITY OF HENDERSON'S 2022 PRIVATE ACTIVITY BOND VOLUME CAP, WHEN AND IF RECEIVED, TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY TO BE USED BY NV HENDERSON APT, L.P. A NEVADA LIMITED PARTNERSHIP.

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), the City of Henderson, Clark County, Nevada (the "City," "County" and "State," respectively) expects to receive an allocation of tax-exempt private activity bond volume cap for year 2022 (the "2022 Bond Cap"); and

WHEREAS, NV Henderson Apt, L.P. a Nevada Limited Liability Partnership has requested that the City transfer all of its 2022 Bond Cap, when and if received, to the Director of the Department of Business and Industry (the "Director") for the purpose of providing a means of financing the costs of the acquisition, preservation, and rehabilitation of a multi-family residential housing project for Henderson Apt that provides decent, safe and sanitary dwellings at affordable prices for families of very low and low income located in the City; 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, all or any portion of its 2022 Bond Cap to assist in the financing of an eligible project; and

WHEREAS, the City has by resolution delegated to the Henderson, Nevada Public Improvement Trust ("HPIT") the responsibility for allocating private activity bond volume cap available to the City, including the 2022 Bond Cap.

NOW, THEREFORE, the Trustees of the HPIT do 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, HPIT hereby transfers all of 2022 Bond Cap, when and if received, to the Director for an affordable rental housing multi-family project to be located in the City, to be developed by Henderson Apt.

*Section 3. Use of 2022 Bond Cap.* The Director will use the allocated 2022 Bond Cap for such affordable housing purposes in calendar year 2022. If the Director does not use the allocated 2022 Bond Cap for an affordable rental housing multi-family project to be located in the City and developed by Henderson Apt., HPIT reserves the right to reallocate the 2022 Bond Cap to another eligible project. If HPIT does not reallocate the 2022 Bond Cap, the Director may carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

*Section 4. Representative of HPIT.* Pursuant to NAC 348A.180(1), the Director may contact Stephanie Murray regarding this Resolution at (702) 267-2016 or in writing at 240 S. Water St., Henderson, NV 89015.



*Section 5. Additional Action.* The Chairman and Secretary of the HPIT are hereby authorized and directed to take all actions as necessary to effectuate the transfer of all of the 2022 Bond Cap, when and if received, and carry out the duties of the HPIT hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

*Section 6. No Obligation of the City or the HPIT.* This Resolution is not to be construed as a pledge of the faith and credit of or by the City or the HPIT, or of any agency, instrumentality, or subdivision of the City or the HPIT. Nothing in this Resolution obligates or authorizes the City or the HPIT to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

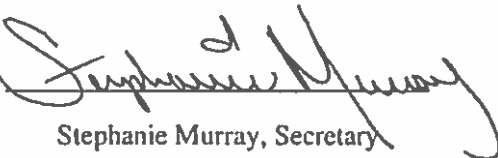
*Section 7. Enforceability.* If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 28th day of April, 2022.

CITY OF HENDERSON, NEVADA  
PUBLIC IMPROVEMENT TRUST

By   
Derek Muaina, Interim Chairman

ATTEST:

By   
Stephanie Murray, Secretary

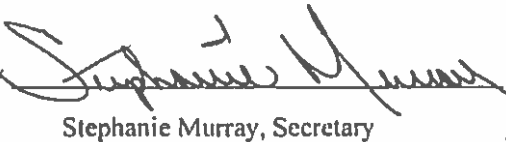
**CERTIFICATE OF TRANSFER OF VOLUME CAP**

I, Stephanie Murray, am the duly chosen and qualified Secretary of the City of Henderson, Nevada Public Improvement Trust (the "HPIT") and in the performance of my duties as Secretary do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that all of the private activity bond volume cap allocated to the City of Henderson for the year 2022 has all been transferred as follows:

All has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Clark County, Nevada, to the Director of the Department of Business and Industry for the purpose of providing a means of financing the costs of the preservation and rehabilitation of a multi-family residential housing project located within the City to be developed by Henderson Apt, L.P., a Nevada Limited Liability Partnership, that will provide decent, safe and sanitary dwellings at affordable prices for persons of very low and low income.

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

CITY OF HENDERSON, NEVADA PUBLIC  
IMPROVEMENT TRUST

By   
Stephanie Murray, Secretary



1 the State of Nevada, if the City has not approved other financings that use that Volume Cap prior to August  
2 3, 2022.

3 Section 4. The Mayor and City Clerk are hereby authorized to execute and deliver on behalf  
4 of the City, an Agreement with the Developer, in substantially the form attached hereto as Exhibit "A."

5 Section 5. Pursuant to Ch. 348A of NRS, the Director of the Department may communicate  
6 regarding this Resolution with Patrick Petrie of the City by telephone at (702) 229-6681 or e-mail, at  
7 ppetrie@LasVegasNevada.gov, or by mail at Patrick Petrie, Office of Community Services, City Hall, 3rd  
8 Floor, at 495 S. Main St., Las Vegas, NV 89101.

9 Section 6. Nothing in this Resolution obligates the City to issue bonds for any particular  
10 project or to grant approvals for a project or constitutes a representation that such bonds will be issued, that  
11 such projects will be approved, or that any city Volume Cap other than the amount outlined in Section 1 will  
12 be made available for any particular project.

13 Section 7. This Resolution may be amended or repealed at any time by the City at its sole  
14 discretion before bonds are issued that use the Volume Cap described herein. After such bonds are issued,  
15 this Resolution may not be amended or repealed in such a manner as to change the allocation of Volume  
16 Cap to the bonds which have been issued.

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Section 8. This Resolution shall be effective upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 3rd day of August, 2022.


CITY OF LAS VEGAS

BY   
CAROLYN G. GOODMAN, Mayor

ATTEST:

  
LUANN D. HOLMES, MMC  
City Clerk

APPROVED AS TO FORM

 7-5-22  
Val Steed, Date  
Deputy City Attorney



1 Nevada, if the City has not approved other financings that use that Volume Cap prior to August 3, 2022.

2 Section 4. The Mayor and City Clerk are hereby authorized to execute and deliver on behalf of  
3 the City, an Agreement with the Developer, in substantially the form attached hereto as Exhibit "A."

4 Section 5. Pursuant to Ch. 348A of NRS, the Director of the Department may communicate  
5 regarding this Resolution with Patrick Petrie of the City by telephone at (702) 229-6681 or e-mail, at  
6 ppetrie@LasVegasNevada.gov, or by mail at Patrick Petrie, Office of Community Services, City Hall, 3rd  
7 Floor, at 495 S. Main St., Las Vegas, NV 89101.

8 Section 6. Nothing in this Resolution obligates the City to issue bonds for any particular project  
9 or to grant approvals for a project or constitutes a representation that such bonds will be issued, that such  
10 projects will be approved, or that any city Volume Cap other than the amount outlined in Section 1 will be  
11 made available for any particular project.

12 Section 7. This Resolution may be amended or repealed at any time by the City at its sole  
13 discretion before bonds are issued that use the Volume Cap described herein. After such bonds are issued,  
14 this Resolution may not be amended or repealed in such a manner as to change the allocation of Volume Cap  
15 to the bonds which have been issued.

16 Section 8. This Resolution shall be effective upon its passage and approval.

17 PASSED, ADOPTED AND APPROVED this 3rd day of August, 2022.


18 CITY OF LAS VEGAS

19 BY   
20 CAROLYN G. GOODMAN, Mayor

21 ATTEST:

22   
23 LUANN D. HOLMES, MMC  
City Clerk

24 APPROVED AS TO FORM

25  7-5-22  
26 Val Steed, Date  
Deputy City Attorney

**SUMMARY:** Authorizes transfer of the City 2022 private activity bond cap to the Nevada Rural Housing Authority.

**RESOLUTION NUMBER 2022-01**

**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 Lovelock, Pershing County, Nevada (the "City", the "County" and the "State," respectively) a tax-exempt private activity bond cap for calendar year 2022 ("2022 Bond Cap"); and

**WHEREAS**, the Nevada Rural Housing Authority ("NRHA") has requested that the City transfer its 2022 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**, NAC 348A.180 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 private activity bond cap; and

**WHEREAS**, pursuant to NRS 315.983(1)(a), NRHA is an instrumentality, local government and political subdivision of the State; 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 its 2022 Bond Cap to NRHA for the requested purposes; now, therefore,

**THE CITY COUNCIL OF THE CITY OF LOVELOCK 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 2022 Bond Cap to the NRHA for its Single Family Programs.
3. **Conditions on Transfer.** The transfer of the 2022 Bond Cap to the NRHA is subject to the condition that NRHA will use the 2022 Bond Cap for single family purposes in calendar year 2022, or carry forward any remaining amount according to the federal tax code for such purposes.
4. **Representative of City.** Pursuant to NAC 348A.180(1), the Director may contact Michael R. Giles, Mayor of the City, regarding this resolution, at (775) 273-2356 or by email at



mgiles@cityoflovelock.com or in writing at Lovelock City Hall, 400 14th Street, PO Box 238, Lovelock, Nevada 89419.

5. **Additional Action.** The Mayor, Clerk and Deputy Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2022 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 in writing as soon as practical of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2022 Bond Cap.

7. **Representative of 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.

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 21, 2022


VOTE OF CITY COUNCIL:

<b>Ayes:</b>	Council members:	<u>Reynolds, Rowe</u>
<b>Nays:</b>	Council members:	<u>None</u>
<b>Absent:</b>	Council members:	<u>Gentry</u>
<b>Not Voting:</b>	Council members:	<u>None</u>

APPROVED:

ATTEST:

  
 \_\_\_\_\_  
 Michael R. Giles  
 Mayor

  
 \_\_\_\_\_  
 Terri Wilcox  
 City Clerk

## CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Terri Wilcox, am the duly chosen and qualified Clerk of the City of Lovelock, 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 for 2022, will be transferred as follows:

1. The private activity bond volume cap allocated to the City for 2022 will be transferred pursuant to NAC 348A.180(2) from the City, a local government located in Pershing County, Nevada, to the Nevada Rural Housing Authority, a local government located within Pershing 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.

City of Lovelock, Nevada

  
\_\_\_\_\_  
Terri Wilcox, City Clerk

xc: Diane Arvizo, NRHA (Diane@NVRural.org)

## RESOLUTION R22-030

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2022 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY.

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 \$1,258,133.32 in tax-exempt private activity bond volume cap for year 2022 (the “2022 Bond Cap”); and

WHEREAS, the Nevada Rural Housing Authority (the “NRHA”), has requested that the City transfer its 2022 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 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; 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 2022 Bond Cap in the amount of \$1,258,133.32 to the NRHA for its Single Family Programs.

*Section 3. Use of 2022 Bond Cap.* The NRHA will use the 2022 Bond Cap for single family purposes in calendar year 2022 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) 346-5297 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 2022 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 2022 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 26th day of July, 2022.

CITY OF MESQUITE, NEVADA

By   
Allan S. Litman, Mayor

ATTEST:

By   
Tracy E. Beck, City Clerk

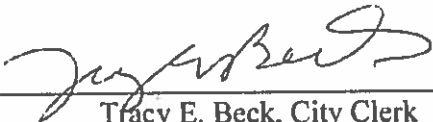
**CERTIFICATE OF TRANSFER OF VOLUME CAP**

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 \$1,258,133.32 has been transferred as follows:

\$1,258,133.32 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 E. Beck, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority