

RESOLUTION NO. 2703

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2022 PRIVATE ACTIVITY BOND VOLUME CAP TO THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY FOR THE NEW CONSTRUCTION OF FOAM OF NEVADA INC.'S MANUFACTURING FACILITY, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of North Las Vegas, Nevada ("City"), the amount of \$10,000,000.00 in tax-exempt private equity bond volume cap for year 2022 ("2022 Bond Cap");

WHEREAS, Foam of Nevada Inc. ("Applicant") has requested that the City transfer its 2022 Bond Cap to the Applicant for the purpose of providing a means of financing a project by which the Applicant will undertake the new construction of a manufacturing facility to be located in the northwest portion of approximately 20 acres at Miner's Mesa within Apex Industrial Park. (APN 122-06-010-009) that will provide jobs and increase the tax base of the City ("Project");

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

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to the Director of the Nevada Department of Business and Industry ("Director") all or any portion of its 2022 Bond Cap for a specified project; and

WHEREAS, the City Council has the responsibility for allocating private activity bond volume cap available to the City, including the 2022 Bond Cap.

NOW, THEREFORE, the City Council 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. Pursuant to NAC 348A.180, the City hereby transfers the 2022 Bond Cap to the Director for allocation to the Project.

Section 3. Use of 2022 Bond Cap. The Director will use the 2022 Bond Cap in calendar year 2022, or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended.

Section 4. Representative of the City. Pursuant to NAC 348A.180(2), the Director may contact Jared Luke, Director of Economic Development & Government Affairs of the City of North Las Vegas regarding this Resolution at (702) 633-1087 or in writing at City Hall, 2250 Las Vegas Blvd. N., North Las Vegas, Nevada 89030.

Section 5. Additional Action. The Mayor and the City Clerk 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 Chapter 348A. The City Clerk of the City is hereby authorized and directed to mail a certified copy of this Resolution to the Director.

Section 6. 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 2022 Bond Cap.


Section 7. Representative of the Applicant. Pursuant to NAC 348A.180(3), the Director may contact Brent Taylor of Applicant regarding this Resolution at (702) 377-8376 or in writing at brent@homefoam.com.

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.

PASSED AND APPROVED THIS 17 DAY OF August, 2022.

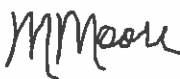
(SEAL)

By: 
John J. Lee, Mayor

Attest:

By: 
Jackie Rodgers
City Clerk

The above Resolution has been reviewed by the City Attorney

By: 
Micaela Moore, City Attorney

STATE OF NEVADA)
) SS.
COUNTY OF CLARK)

I, Jackie Rodgers, the duly chosen and qualified City Clerk of North Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City ("City Council") at a meeting of the City Council held on _____, 2022.

2. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

3. The members of the City Council were present at the meeting and voted on the passage of the resolution as follows:

Those Voting Aye: _____

Those Voting Nay: _____

Those Absent: _____

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to NRS 241.020, written notice of the meeting was given by 9:00 a.m. at least three working days before the meeting including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, to wit:

(i) City Hall
2250 Las Vegas Boulevard
North North Las Vegas,
Nevada

(ii) City of North Las Vegas
website and Nevada Public
Notice website

and

(b) By mailing copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of City Council.

5. A copy of such notice so given of the meeting of the City Council is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____,
2022.



Jackie Rodgers, City Clerk
City of North Las Vegas, Nevada

(SEAL)

RESOLUTION NO. 9066

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 COPPER MESA APARTMENTS, LLC, AND INLAND GROUP, FOR THE BENEFIT OF THE PROJECT IDENTIFIED AS "COPPER MESA 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 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 Regulations"), 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 2022 is approximately \$14,470,531, none of which has already been used by the City; and,

WHEREAS, Copper Mesa LLC, and Inland Group (Project Sponsor) needs \$41.80 million in volume cap for its project and has requested that the City transfer all its 2022 Volume Cap to the State of Nevada Department of Business and Industry for the purpose of contributing to financing the new construction of the Copper Mesa 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 its 2022 Volume Cap allocation to the Department for assistance to construct the Copper Mesa 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 new rental units at Copper Mesa Apartments), and low income residents of the City will benefit from the Copper Mesa 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 2022 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 2022 Volume Cap allocation*	Copper Mesa Apartments, a proposed 290-rental unit apartment community for low income residents located on Red Rock and Silver Lakes Roads, Reno, Nevada.
* Applicant needs \$41.80 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 NAC 348A.300.

Section 4. City Representative. Any communication with the City regarding this matter should be with Monica Cochran, Housing and Neighborhood Development, by e-mail 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 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,

prefinancing 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 Reese, seconded by Council Member Delgado, the foregoing resolution was adopted this 24th day of August, 2022, by the following vote of the Council:

AYES: Reese, Delgado, Brekhus, Duerr, Weber, Schieve

NAYS: None


ABSTAIN: None

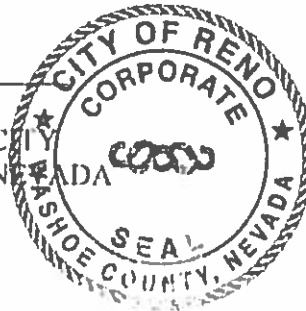
ABSENT: None

APPROVED this 24th day of August, 2022.


HILLARY L. SCHIEVE
MAYOR OF THE CITY OF RENO

ATTEST:


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



RESOLUTION NO. 3409

INTRODUCED BY COUNCIL

A RESOLUTION TRANSFERRING 2022 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 2022 is \$5,884,665.24, of which none has been heretofore used by the City; and

WHEREAS the Nevada Housing Division (NHD) has requested allocation of the City’s 2022 Volume Cap 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 one hundred (100) percent of its unused 2022 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 2022, 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 2021 Volume Cap to the following Transferee for the following “Projects.”

Amount	Transferees/Project	Fee
Total Amount \$5,884,665.24	To the Nevada Housing Division (NHD) for use in its Affordable Housing Programs	Waived

Section 3. Reservation of Volume Cap. All 2022 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. For the City: 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 8 day of August, 2022, by the following vote of the City Council:

AYES: Abbott, VanderWell, Anderson, Bybee, Dahir

NAYS: None

ABSENT: None

APPROVED this 8 day of August 2022 by:

DocuSigned by:
Ed Lawson
Ed Lawson, Mayor

Attest:

Approved as to form and legality

DocuSigned by:
[Signature]
Lisa Handerman, City Clerk
City of Sparks, Nevada

DocuSigned by:
Wes Duncan
Wes Duncan, City Attorney
City of Sparks, Nevada

RESOLUTION No. 22-05

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WELLS, 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 Wells, Elko, Nevada (the "City," "County" and "State," respectively), the amount of \$69,637.77 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 \$69,637.77 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 Jordan Tilley, City Manager, City of Wells, regarding this Resolution at (775) 752-3355 or by email at WellsCityManager@Frontier.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 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 14 day of June, 2022.

CITY OF WELLS, NEVADA

By Rayla M. Walz
Rayla M. Walz, Mayor

ATTEST:

By Jordan Tilley
Jordan Tilley, City Manager

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Jordan Tilley, am the duly chosen and qualified City Manager of the City of Wells, 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 \$69,637.77 has been transferred as follows:

\$69,637.77 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. 2022-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST WENDOVER, 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 West Wendover, Elko County, Nevada (the "City," "County" and "State," respectively), the amount of \$243.732.19 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 \$243.732.19 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 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 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.

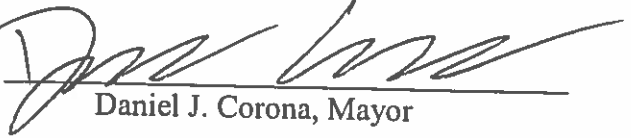
Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, 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 7 day of June, 2022.

CITY OF WEST WENDOVER, NEVADA

By 
Daniel J. Corona, 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 \$243.732.19 has been transferred as follows:

\$243.732.19 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 2022 private activity bond cap to the Nevada Rural Housing Authority.

RESOLUTION NUMBER 2022-09

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 2022 ("2022 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority ("NRHA") has requested that the City transfer the 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, 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 2022 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 2022 Bond Cap to the NRHA for its Single Family Programs.
3. **Conditions on Transfer**. The transfer of the unused 2022 Bond Cap to the NRHA is subject to the condition that 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 federal tax code for such purposes.

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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 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 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 2022 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.

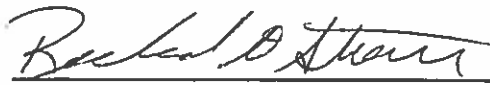
PASSED AND ADOPTED: June 7, 2022


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 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 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