

RESOLUTION NO. 23-0607

RESOLUTION OF THE BOARD OF COMMISSIONERS OF PERSHING 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 Pershing County, Nevada (the "County"), the amount of \$313,006.24 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 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 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 \$313,006.24 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 Lacey Donaldson, County Clerk-Treasurer, Pershing County, regarding this Resolution at (775) 273-2208 or by email at LDonaldson@PershingCounty.Net or in writing at P.O. Drawer E, Lovelock, Nevada 89419.

Section 5. Additional Action. The Chair of the County Commission and Clerk-Treasurer 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.

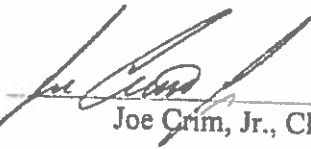
Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive,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

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

BOARD OF COUNTY COMMISSIONERS
PERSHING COUNTY, NEVADA

By  _____
Joe Crim, Jr., Chairman

ATTEST:

By  _____
Lacey Donaldson, Clerk-Treasurer

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Lacey Donaldson, am the duly chosen and qualified County Clerk-Treasurer of Pershing County, Nevada (the "*County*") and in the performance of my duties as County Clerk-Treasurer 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 2023 private activity bond volume cap allocated to the County in the amount of \$313,006.24 has been transferred as follows:

\$313,006.24 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 the 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.

BOARD OF COUNTY COMMISSIONERS
PERSHING COUNTY, NEVADA

By 
Lacey Donaldson, Clerk-Treasurer

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 23-691

RESOLUTION OF THE BOARD OF COMMISSIONERS OF STOREY 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 Storey County, Nevada (the "County"), the amount of \$263,437.00 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 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 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 \$263,437.00 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 Austin Osborne, County Manager, Storey County, regarding this Resolution at (775) 847-0968 or by email at AOsborne@StoreyCounty.org or in writing at PO Box 176, Virginia City, Nevada 89440.

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 Nevada Rural Housing Authority regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the 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.

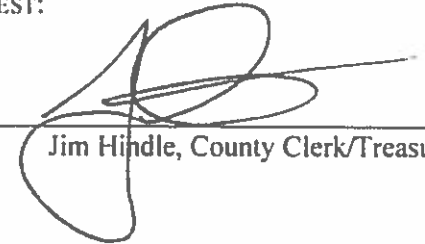
Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

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

BOARD OF COUNTY COMMISSIONERS
STOREY COUNTY, NEVADA

By  _____
Jay Carmona, Chair

ATTEST:

By  _____
Jim Hindle, County Clerk/Treasurer

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Jim Hindle, am the duly chosen and qualified County Clerk of Storey 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 2023 private activity bond volume cap allocated to the County in the amount of \$263,437.00 has been transferred as follows:

\$263,437.00 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 Storey 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.

STOREY COUNTY, NEVADA

By


Jim Hindle, Storey County Clerk/Treasurer

C.c.: Diane Arvizo, Nevada Rural Housing Authority
Sherry Wood, Nevada Rural Housing Authority
Carrie Foley, Nevada Department of Business and Industry



WASHOE COUNTY COMMISSION

1001 E. 9th Street
Reno, Nevada 89512
(775) 328-2000

AUTHORIZING THE TRANSFER OF WASHOE COUNTY'S 2023 PRO-RATA SHARE OF THE STATE OF NEVADA'S PRIVATE ACTIVITY BONDING AUTHORITY (\$6,889,172.03) TO THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUILDING AND INDUSTRY TO SUPPORT THE CONSTRUCTION OF A MULTIFAMILY HOUSING PROJECT OF APPROXIMATELY 240 AFFORDABLE HOUSING UNITS RENT RESTRICTED TO 60% OF AREA MEDIAN INCOME OR BELOW LOCATED OFF OF CHOCOLATE DRIVE IN SUN VALLEY, NEVADA. (APN: 502-250-09 AND 502-250-10, APPLICANT: PEDCOR INVESTMENTS, LLC. PROJECT PROPERTY OWNER (AS PROVIDED IN NRS 348A.010 ET. SEQ. AND NAC 348.180)

WHEREAS, The federal tax code classifies state and local bonds as either governmental bonds or private activity bonds. Governmental bonds are intended for governmental projects, and private activity bonds are for projects that primarily benefit private entities. Typically, the interest earned by holders of governmental bonds is exempt from federal income taxes. The federal tax code also allows state and local governments to use tax-exempt bonds to finance certain projects that would be considered private activities.

WHEREAS, The private activities that can be financed with tax-exempt bonds are called "qualified private activities." Congress uses an annual state volume cap to limit the amount of tax-exempt bond financing generally and restricts the types of qualified private activities that would qualify for tax-exempt financing to selected projects defined in the tax code. The federal government determines the amount of tax-exempt private activity bonding to be allocated to each state, and each state then determines how to allocate its volume capacity.

WHEREAS, Washoe County's share of the State of Nevada's allocation in 2023 is \$6,889,172.03.

WHEREAS, Nevada Administrative Code ("NAC") Chapter 348A, including but not limited to NAC 348A.180(2), authorizes a local government such as Washoe County to transfer to the Director of the Department of Building and Industry of the State of Nevada (Director) all or any portion of the local government's volume cap or local population share for any specified project or use authorized by the Internal Revenue Code of 1954, as amended, for private activity bonds, as defined in 26 U.S.C. § 141, subject to the Director's approval.

WHEREAS, it is the position of Washoe County that the generation of revenue to be used by private developers for the construction of affordable housing, as defined by law including NRS 278.0105, units in the community constitutes a "qualified private activity," and the county desires to facilitate the development of affordable housing in the community.

WHEREAS, based primarily upon the representations of the developer made in connection with Chocolate Drive Project, Washoe County finds that this project is eligible to receive funding via the issuance of qualified private activity bonds, and the transfer of the county's bonding

authority to the Director for this purpose will confer a substantial benefit on the residents of Washoe County.

NOW THEREFORE BE IT RESOLVED, 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 Cap. Pursuant to NAC Chapter 348A, including but not limited to NAC 348A.180(2), and any regulations adopted thereunder, Washoe County hereby resolves to transfer its 2023 Bond Cap in the amount of \$6,889,172.03 to the Director to support the construction of approximately 240 affordable housing units as part of the Chocolate Drive low-income affordable multi-family housing project, Sun Valley, Nevada.

Section 3. Conditions on Transfer. The transfer made in Section 2 is subject to the conditions contained within this Section and all applicable federal and state legal requirements. The transfer in Section 2 is for the purpose of supporting the specified project. The details of the project are as identified in the letter of application and attached here as Exhibit A. Further, if for any reason the bonds are not issued within three years of this date, the Board requests that the State carry the Volume Cap forward to prevent its loss, and that the Volume Cap be used for affordable housing projects in Washoe County.

Section 4. Representative of County. The Director may contact Kendra S. Follett, regarding this resolution at (775) 323-1980 or in writing c/o Sherman and Howard, 50 W Liberty St. Ste 1000, Reno, NV 89501.

Section 5. Additional Action. The Chair and 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 County hereunder, including the execution of all certificates pertaining to the transfer as required by law, including NRS Chapter 348A and NAC Chapter 348A.

Section 6. Obligations of 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 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 signing by the Chair of the Commission.

ADOPTED this 22 day of August, to be effective only as stated above.

WASHOE COUNTY COMMISSION



Alexis Hill, Chair

ATTEST:



Jan Galaschi, County Clerk

Shane Bybee, Chairman
Laurie L. Carson, Vice Chairman
Commissioner Richard Howe
Commissioner Hank Vogler
Commissioner Janet VanCamp

1786 Great Basin Blvd., Suite 3
Ely, Nevada 89301
(775) 293-6509
Fax (775) 289-2544

Nichole Stephey, Ex-officio Clerk of the Board

White Pine County
Board of County Commissioners

WPClerk@WhitePineCountyNV.Gov

RESOLUTION No. 2023-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHITE PINE 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 White Pine County, Nevada (the "County"), the amount of \$356,208.24 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 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 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 \$356,208.24 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 Nichole Stephey, County Clerk, White Pine County, regarding this Resolution at (775) 293-6509 or by email at WPClerk@WhitePineCountyNV.Gov or in writing at 1786 Great Basin Boulevard, Suite 3, Ely, Nevada 89301.

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 passage.

ADOPTED, SIGNED AND APPROVED this 12 day of July, 2023.

BOARD OF COUNTY COMMISSIONERS
WHITE PINE COUNTY, NEVADA

By 
Shane Bybee, Chair

ATTEST:

By 
Nichole Stephey, County Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

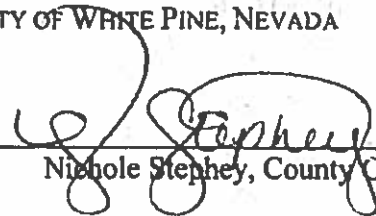
I, Nichole Stephey, am the duly chosen and qualified County Clerk of the White Pine County, Nevada (the "*County*") and in the performance of my duties as County Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("*NAC*"), that the 2023 private activity bond volume cap allocated to the County in the amount of \$356,208.24 has been transferred as follows:

\$356,208.24 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 White Pine 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.

COUNTY OF WHITE PINE, NEVADA

By



Nichole Stephey, County Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority