



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** June 2, 2016

**Staff Contact:** Janice Keillor

**Agenda Title:** For Possible Action: To adopt a Resolution providing for the transfer of Carson City's share of the 2016 Private Activity Bond Cap (PABC) to the Nevada Rural Housing Authority to finance the costs of single family residential housing. (Janice Keillor, jkeillor@carson.org)

**Staff Summary:** According to the Nevada Administrative Code, Carson City may annually allocate a share of State money that is set aside for tax exempt loans to fund industrial development and affordable housing projects. The PABC provides lower-interest financing to Carson City for eligible projects and can be transferred to another local government. Carson City may also allocate its share to specific projects that apply and qualify with the State, or the allocation goes back into the general State-wide pool. For 2016 Carson City has an allocation of \$2,836,488.81.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 10 minutes

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## **Proposed Motion**

I move to adopt Resolution No. 2016-R-\_\_\_\_\_, a resolution providing for the transfer of Carson City's share of the 2016 Private Activity Bond Cap (PABC) to the Nevada Rural Housing Authority to finance the costs of single family residential housing.

## **Board's Strategic Goal**

Quality of Life

## **Previous Action**

N/A

## **Background/Issues & Analysis**

Carson City has not received other requests for the allocation of the City's share of the State private activity bond volume cap. Nevada Rural Housing Authority's (NRHA) Home at Last tax-exempt bond program has helped 459 families purchase their first home and invested \$72.4 million in our community.

## **Applicable Statute, Code, Policy, Rule or Regulation**

NRS 348A

## **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

Deny the Resolution

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

**RESOLUTION No. 2016-R-\_\_\_\_\_**

RESOLUTION OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2016 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 Carson City, Nevada (the “City”), the amount of \$2,836,488.81 in tax-exempt private activity bond volume cap for year 2016 (the “2016 Bond Cap”); and

WHEREAS, the Nevada Rural Housing Authority (the “NRHA”), has requested that the City transfer its 2016 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 2016 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 2016 Bond Cap in the amount of \$2,836,488.81 to the NRHA for its Single Family Programs.

*Section 3. Use of 2016 Bond Cap.* The NRHA will use the 2016 Bond Cap for single family purposes in calendar year 2016, 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 Nevada State Department of Business and Industry (“*The Director*”) may contact Nick Marano, regarding this Resolution at (775) 887-2100 or in writing at 201 N. Carson Street, Suite 2, Carson City, NV 89701.

*Section 5. Additional Action.* The Mayor and City Manager are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2016 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 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 2016 Bond Cap.

*Section 7. Representative of the NRHA.* Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homebuyer Services of the NRHA regarding this Resolution at (775) 886-7900 or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Suite 105, 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 \_\_\_\_ day of \_\_\_\_\_, 2016.

CARSON CITY NEVADA

By \_\_\_\_\_  
Robert L. Crowell, Mayor

ATTEST:

By \_\_\_\_\_  
Sue Merriwether, Clerk Recorder

**CERTIFICATE OF TRANSFER OF VOLUME CAP**

I, Sue Merriwether, am the duly chosen and qualified Clerk Recorder of Carson City, Nevada (the “City”) and in the performance of my duties as Clerk Recorder 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 \$2,836,488.81 has been transferred as follows:

\$2,836,488.81 has been transferred pursuant to NAC 348A.180 from Carson City, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within Carson City 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.

CARSON CITY, NEVADA

By \_\_\_\_\_  
Sue Merriwether, Clerk Recorder

cc: Diane Arvizo, Nevada Rural Housing Authority



May 3, 2016

The Honorable Robert Crowell  
Mayor of Carson City  
201 North Carson Street Suite #2  
Carson City, NV 89701

Dear Mayor Crowell:

Congratulations to Carson City! Because of your partnership with the Nevada Rural Housing Authority (NRHA), \$72.4 million has been invested in your community, assisting 459 families obtain their dream of home ownership. *This would not have been possible without you.* Our ability to continue to serve your community is predicated on receiving a transfer from your Private Activity Bond Cap (PABC) so we can combine it with a transfer from the other cities and counties and then seek an allocation from the Department of Business and Industry.

As Nevada experiences a long-hoped-for economic recovery, more families are seeking our help. NRHA is helping families overcome barriers to home ownership through down payment assistance and access to credit, opening doors so that rural Nevadans can afford homes. Stable home ownership, as you know, is one of the cornerstones for building healthy communities. Our flagship program, Home at Last, launched new programs in 2015 which have received national recognition for revolutionizing access to both tax savings and down payment assistance for Nevada's homebuyers.

In order to expedite the transfer of your PABC allocation to NRHA, we simply need a resolution and transfer certificate, both attached. Please schedule this action item for your next Board of Supervisors meeting.

Please note that the transfer of your bond cap does not obligate Carson City in any way. If you have any questions about the transfer, your counsel or NRHA's tax counsel, Richard Jost at (702) 692-8008 can provide assistance.

We look forward to our continued partnership and helping more Nevadans into homes. I will call in the next few days to answer any questions you might have.

Sincerely,

D. Gary Longaker  
Executive Director

Enclosures: 2

Attachment 1: 2016 Distribution of PABC

Attachment 2: Resolution and Transfer Certificate

cc:Terry Reynolds, Sr. Deputy Director, Dept. of Business & Industry  
Jeff Fontaine, Executive Director, Nevada Association of Counties  
Kathleen Conaboy, McDonald, Carano, Wilson  
Richard Jost, Esq., Director, Fennemore Craig, P.C.

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TDD: 800-545-1833 ext. 545 • [nvrural.org](http://nvrural.org) • [diane@nvrural.org](mailto:diane@nvrural.org)

Nevada Rural Housing Authority is an equal opportunity provider and employer.



**Nevada State Department of Business & Industry**  
**Distribution of Federal Tax Exempt Private Activity Bonding Authority (CAPI)**  
**For Use in Calendar Year 2016**

5392,875,000.00 =Total statewide allocation  
 5151,437,500.00 =Local jurisdictions allocation Total

Based upon Estimates from the Nevada Department of Taxation and the Nevada State Demographer's Office

Counties & Incorporated Cities	2015		Percentage of State Population	Total for Distribution \$	151,437,500
	Population Estimate**				
	County Totals	Jurisdiction Totals			
Carson City	54,273	54,273	1.87304%	\$	2,836,488.81
Churchill County	25,126				
Fallon		8,770	0.30267%	\$	458,349.58
Unincorporated County		16,356	0.56447%	\$	854,819.36
Clark County	2,118,353				
Boulder City		15,813	0.54573%	\$	826,440.36
Henderson		287,828	9.93338%	\$	15,042,855.60
Las Vegas		620,935	21.42940%	\$	32,452,143.44
Mesquite		19,061	0.65782%	\$	996,191.72
North Las Vegas		235,395	8.12383%	\$	12,302,531.35
Unincorporate County		939,321	32.41738%	\$	49,092,062.51
Douglas County	48,223	48,223	1.66425%	\$	2,520,295.54
Elko County	53,551				
Carlin		2,727	0.09411%	\$	142,522.16
Elko		20,714	0.71487%	\$	1,082,583.04
Wells		1,371	0.04732%	\$	71,653.05
West Wendover		4,478	0.15454%	\$	234,035.28
Unincorporated County		24,261	0.83728%	\$	1,267,961.14
Esmeralda County	923	923	0.03185%	\$	48,239.07
Eureka County	1,862	1,862	0.06426%	\$	97,314.36
Humboldt County	17,057				
Winnemucca		7,802	0.26926%	\$	407,758.66
Unincorporated County		9,255	0.31940%	\$	483,697.31
Lander County	6,247	6,247	0.21559%	\$	326,489.15
Lincoln County	5,088				
Caliente		1,049	0.03620%	\$	54,824.25
Unincorporated County		4,039	0.13939%	\$	211,091.67
Lyon County	53,277				
Fernley		18,936	0.65351%	\$	989,658.80
Yerington		3,191	0.11013%	\$	166,772.35
Unincorporated County		31,150	1.07503%	\$	1,628,003.36
Mineral County	4,539	4,539	0.15665%	\$	237,223.35
Nye County	46,050	46,050	1.58925%	\$	2,406,727.28
Pershing County	6,750				
Lovelock		1,893	0.06533%	\$	98,934.52
Unincorporated County		4,857	0.16762%	\$	253,843.09
Storey County	3,984	3,984	0.13749%	\$	208,217.19
Washoe County	441,946				
Reno		238,615	8.23496%	\$	12,470,819.34
Sparks		93,581	3.22962%	\$	4,890,856.59
Unincorporated County		109,750	3.78764%	\$	5,735,902.70
White Pine County	10,336				
Ely		4,056	0.13998%	\$	211,980.15
Unincorporated County		6,280	0.21673%	\$	328,213.84
<b>Totals =</b>	<b>2,897,585</b>	<b>2,897,585</b>	<b>100.0000%</b>	<b>\$</b>	<b>151,437,500.00</b>

Internal Revenue Bulletin: 2016-13 Notice 2016-24

\*\*State Demographer's 'Governor Certified Population of Nevada Counties, Cities and Towns at 2015'

Saved in Excel as: 2016 Volume Cap Distribution & Demographer Info