

EXHIBIT A

An ordinance establishing the Washoe County Affordable Housing Trust Fund.

**BILL NO. \_\_\_\_\_**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE WASHOE COUNTY AFFORDABLE HOUSING TRUST FUND AND PROVIDING THAT THE FUND WILL RECEIVE MONIES FROM VARIOUS SOURCES TO BE USED CONSISTENT WITH A LATER PUBLICALLY-APPROVED PLAN TO FACILITATE THE SUPPLY OF HOUSING AFFORDABLE TO HOUSEHOLDS OF LOW INCOME.**

**WHEREAS**, the County of Washoe, in the State of Nevada (the "County"), is a county incorporated and operating under the laws of the State governed by an elected Board of County Commissioners ("Board") and

**WHEREAS**, NRS 278.150 requires counties, "whose population is 100,000 or more but less than 700,000" such as Washoe County, to include a housing element in its Master Plan; and

**WHEREAS**, one of the measures listed in the housing element provision is "Establishing a trust fund for affordable housing that must be used for the acquisition, construction or rehabilitation of affordable housing"; and

**WHEREAS**, Washoe County is experiencing growth throughout the region including an influx of large employers which is placing pressure on the existing housing market and driving increases in rents and home prices; and

**WHEREAS**, investing in housing affordability will offer assistance for residents to withstand the pressure of the growth and housing challenges and will ensure Washoe County will grow sustainably in the future; and

**WHEREAS**, significant regional work was done to establish a comprehensive Regional Strategy for Housing Affordability in November 2018; and

**WHEREAS**, the Regional Strategy for Housing Affordability outlines housing needs and trends both locally and nationally and contemplates population and demographics, current housing supply, affordability concerns, and national case studies; and

**WHEREAS**, a key tool to implement housing affordability in Washoe County is the establishment of a Regional Housing Trust Fund,

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA, DO ORDAIN:

This ordinance shall be known and may be cited as the "Washoe County Affordable Housing Trust Fund Ordinance" (the "Ordinance"). Chapter \_\_\_\_\_ of Washoe County Code is hereby created to read as follows:

**Section 1. Establishment and Purpose**

There is established The Regional Housing Trust Fund which may receive monies from other sources and which uses shall be expended consistent with the provisions of this Ordinance.

Monies deposited in the Regional Housing Trust Fund shall be used to increase and improve the supply of housing projects affordable to households of low income, with priority given to very low income households. For purposes of this section, "low income households" are those households with incomes of eighty (80) percent or below the median income in Washoe County as set forth from time to time by the U.S. Department of Housing and Urban Development and "very low income households" are those households with incomes of fifty (50) percent or below the same median income. Monies may also be used to cover reasonable administrative or related expenses not reimbursed through processing fees. No portion of the Regional Housing Trust Fund may be diverted to other purposes by way of loan or otherwise.

**Section 2. Administration**

The housing fund may be established via contract and administered by a non-profit contractor ("Contractor") which may be given by contract the authority to govern the fund consistent with this section, and to prescribe procedures for said purpose, subject to County Commission approval. Any contractor chosen to make recommendations for approval of use of the Regional Housing Trust Fund shall provide to the County Commission a written plan for managing the financial records of the Fund to include the method for disbursing and collecting Fund monies, reporting status, and distributions of principal, interest, or other assets of the Fund in furtherance of the public purpose. Included shall be the overview of administrative and other operational costs.

### **Section 3. Funding Source**

The Board of County Commissioners shall determine what public funds to put into The Regional Housing Trust Fund. In addition to the public funds, bequests and donations from public and private sources, and any other revenues specifically dedicated to The Regional Housing Trust Fund by Washoe County Ordinance or the Board may also be deposited. All interest earnings from the account shall be reinvested and dedicated to the account. All appropriated funds in the Regional Housing Trust Fund shall be available for program expenditures as proposed by the contractor and approved by the Washoe County Commission.

### **Section 4. Use and Disbursement of Monies in the Fund**

An Allocation Plan (“the Plan”) for the use and disbursement of monies in the fund shall be developed by the Contractor for adoption by the Washoe County Commission. The plan shall identify the Contractor as the administrator of the plan. Monies in the housing fund may be disbursed, hypothecated, collateralized, or otherwise employed for these purposes from time to time as the Board, via the adopted Plan, determines is appropriate to accomplish the purposes of the housing fund.

The plan shall establish a solicitation and award process to be administered by the Contractor. The Plan shall provide for the use and disbursement of monies in the fund to facilitate the purpose articulated in Section One. The Plan shall require projects receiving monies from the fund to facilitate to the housing goals of publicly adopted housing plans, strategies, or other guiding documents focused on meeting the regional demand for affordable housing, including but not limited to local jurisdiction master plan housing elements, publicly supported housing analyses and reports, and the Plan.

The Plan shall identify the specific uses for which fund monies may be allocated. The allocation plan shall further identify which uses may be approved by the Contractor and which uses require further approval by the Board. The allocation plan shall identify new construction and rehabilitation projects that meet the purpose identified under Section One as priorities for funding. The allocation plan may provide for the funding of programmatic (non-construction related) uses that support the purpose identified in Section One with the approval of the Board.

The Plan shall identify the range of applicants that may take advantage of the fund, including but not limited to governmental entities, public-private partnerships, non-profit or for-profit private organizations, or individuals involved in the provision of affordable housing in Washoe County.

**Section 5. Location of Units/Projects to Be Assisted with Fund Monies**

All land within Washoe County, including land within present and future incorporated jurisdictions is eligible for funding from the housing fund. The Plan described in Section Four shall require that the location of units' receiving monies from the fund is consistent with regionally adopted housing plans and strategies and local jurisdiction housing elements. The purpose of this provision is to ensure implementation of the housing goals adopted in these plans. Implementation of the location and distribution goals of these plans will provide for the appropriate placement and distribution/concentration of affordable housing units.

**Section 6. Annual Evaluation**

Commencing one (1) year after the effective date of this section, and annually thereafter the Community Foundation of Western Nevada ("Foundation"), in coordination with the Washoe Contractor shall report to the County Commission on the status of activities undertaken with the housing fund. The report shall include a statement of income, expenses, disbursements, and other uses of the fund. The report shall also state the number of low income and total housing units constructed or assisted during that year and the amount of such assistance. The report shall evaluate the efficiency of this section in mitigating the region's shortage of low income housing. The Board shall recommend any changes to the adopted housing assistance plan program.

**PASSED AND ADOPTED BY AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

Proposed on \_\_\_\_\_, 2019.

Proposed by Commissioner \_\_\_\_\_

Vote:

Ayes:

Vaughn Hartung  
Bob Lucey

Marsha Berkbigler  
Jeanne Herman  
Kitty Jung

Nays:

\_\_\_\_\_

Absent:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Abstaining:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Chair  
Board of County Commissioners  
Washoe County, Nevada

Attest:

\_\_\_\_\_  
County Clerk

This Ordinance shall be in force and effect from and after the \_\_\_\_ day of the month  
of \_\_\_\_\_ of the year 2019, the date of the second publication of such ordinance by its title  
only.

STATE OF NEVADA       )  
                                      ) ss.  
WASHOE COUNTY        )

I am the duly chosen, qualified and acting Clerk of Washoe County (the "County"),  
in the State of Nevada and do hereby certify:

1.       The foregoing pages are a true, correct and compared copy of an ordinance  
adopted by Board of County Commissioners (the "Board") of the County at a meeting held on  
\_\_\_\_\_, 2019 (the "Ordinance").

2.       The members of the Board voted on the Ordinance as follows:

Those Voting Aye:	Vaughn Hartung
	Bob Lucey
	Marsha Berkbighler
	Jeanne Herman
	Kitty Jung

Those Voting Nay:	_____
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Those Absent:	_____
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3.       The original of the Ordinance has been approved and authenticated by the  
signatures of the Chair of the Board and myself as County Clerk and has been recorded in the  
minute book of the Board kept for that purpose in my office, which record has been duly signed  
by the officers and properly sealed.

4.       After adoption, the Ordinance was published twice by title and an affidavit  
of publication is attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand this  
\_\_\_\_\_, 2019.

\_\_\_\_\_  
County Clerk  
Washoe County, Nevada

The undersigned does hereby certify:

1. All members of the Board were given due and proper notice of the meeting held on \_\_\_\_\_, 2010.

2. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Ordinance, as posted not later than 9:00 a.m. on the third working day prior to the meeting, on the County's website, on the State's official website, and at the following locations:

- (i) Washoe County Administration Complex  
1001 East Ninth Street, Bldg. A  
Reno, Nevada
- (ii) Washoe County Courthouse-Clerk's Office  
75 Court Street  
Reno, Nevada
- (iii) Washoe County Central Library  
301 South Center Street  
Reno, Nevada
- (iv) Sparks Justice Court  
1675 East Prater Way  
Sparks, Nevada

is attached as Exhibit A.

3. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_,  
2019.

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County Manager  
(or representative thereof)  
Washoe County, Nevada

EXHIBIT A

(Attach Copy of Notice of Meeting)



**EXHIBIT B**

(Attach Affidavit of Publication of Ordinance)