

Senate Bill No. 38—Senator Townsend

CHAPTER.....

AN ACT relating to the Airport Authority of Washoe County; revising the provisions governing the appointment of the members of the board of trustees; prohibiting a former member of the board from entering into, bidding on or having a pecuniary interest in a contract with the authority or being employed by the authority until 1 year after the termination of his service on the board; exempting the Authority from certain requirements concerning concession agreements; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 5 of chapter 474, Statutes of Nevada 1977, as last amended by chapter 83, Statutes of Nevada 1981, at page 181, is hereby amended to read as follows:

Sec. 5. 1. The authority ~~shall~~ **must** be directed and governed by a board of trustees composed of eight persons who serve at the pleasure of the appointing authority in each case.

2. The City of Reno ~~shall~~ **must** be represented on the board by four members, the City of Sparks by two members and Washoe County by two members, appointed as specified in this section. The terms of all trustees appointed by the city councils of the cities of Reno and Sparks and the board of county commissioners of Washoe County pursuant to this section ~~prior to~~ **before** its amendment expire on July 1, 1981. On July 1, 1981:

(a) The city council of the City of Reno shall appoint four trustees, two for terms of 2 years and two for terms of 4 years. Subsequent appointments ~~shall~~ **must** be made for terms of 4 years.

(b) The city council of the City of Sparks shall appoint two trustees, one for a term of 2 years and one for a term of 4 years. Subsequent appointments ~~shall~~ **must** be made for a term of 4 years.

(c) The board of county commissioners of Washoe County shall appoint two trustees, one for a term of 2 years and one for a term of 4 years. Subsequent appointments ~~shall~~ **must** be made for terms of 4 years.

3. The position of a member of the board of trustees ~~shall~~ **must** be considered vacated upon his loss of any of the qualifications required for his appointment and in such event the appointing authority shall appoint a successor.

4. An appointment of a member of the board of trustees pursuant to the provisions of this section must be made not later than June 15 of the year in which the member is required to be appointed.

Sec. 2. Section 6 of chapter 474, Statutes of Nevada 1977, as last amended by chapter 186, Statutes of Nevada 1995, at page 310, is hereby amended to read as follows:

Sec. 6. 1. Each member of the board shall file with the county clerk:

(a) His oath of office.

(b) A corporate surety bond furnished at the authority's expense, in an amount not to exceed \$5,000, and conditioned for the faithful performance of his duties as a member of the board.

2. No member of the board, during his term thereon, may hold any elective office, have any financial interest in the aviation industry or have a financial interest in any contract or other transaction with the board or the authority other than as that contract or transaction may be made available to a member of the general public in the course of the authority's business.

3. Each member of the board is entitled to receive \$560 per month.

4. *A former member of the board may not:*

(a) Enter into, submit a bid for or have a pecuniary interest in a contract with the authority; or

(b) Be employed by the authority, until 1 year after the termination of his service on the board.

5. For the purposes of this section, "financial interest" means:

(a) Ownership of 10 percent or more of the capital stock or assets of any business entity, directly or through a member of the interested person's household.

(b) Income amounting to 10 percent or more of the gross income of the interested person.

Sec. 3. Section 10.2 of chapter 737, Statutes of Nevada 1989, as last amended by chapter 614, Statutes of Nevada 1993, at page 2554, is hereby amended to read as follows:

Sec. 10.2 1. The authority may enter into any concession agreement if the board or its authorized representative reviews the agreement and determines it is in the best interest of the authority. In making ~~this~~ *that* determination, the board or its authorized representative shall consider whether the proposed fees to be paid to the authority for the privileges granted are conducive to revenue generation and providing high quality service to the traveling public.

2. Before entering into any concession agreement providing estimated revenue to the authority of more than \$25,000, the authority must:

(a) Comply with the bidding requirements of the Local Government Purchasing Act ~~+~~ *except the provisions of subsection 3 of NRS 332.105;* or

(b) Publish notice of its intention to enter the agreement in a newspaper of general circulation in the county at least three times during a period of 10 days. The notice must specify the date, time and place of a regular meeting of the authority to be held after completion of the publication at which any interested person may appear.

3. The board may authorize the executive director of the authority to enter into any concession agreement on behalf of the authority if the agreement provides estimated revenue to the authority of \$25,000 or less. Such an agreement is not subject to the provisions of subsection 2.

Sec. 4. The prohibition set forth in subsection 4 of section 6 of chapter 474, Statutes of Nevada 1977, as last amended by section 2 of this act, applies to members of the board of trustees of the Airport Authority of Washoe County who are serving on or after July 1, 2001.

Sec. 5. This act becomes effective on July 1, 2001.