

ASSEMBLY BILL NO. 312—ASSEMBLYMEN SIBLEY, HARDY, MABEY, CONKLIN, PARKS, ALLEN, ATKINSON, BUCKLEY, CARPENTER, CHRISTENSEN, DENIS, GANSERT, GERHARDT, GIUNCHIGLIANI, GOICOECHEA, GRADY, HETTRICK, HORNE, KIRKPATRICK, MANENDO, MCCLEARY, MUNFORD, OCEGUERA, PERKINS, SEALE, SHERER AND WEBER

MARCH 21, 2005

JOINT SPONSORS: SENATORS TITUS, COFFIN, TOWNSEND, BEERS, CARLTON, AMODEI, CEGAVSKE, HARDY, HECK, LEE AND WIENER

Referred to Committee on Growth and Infrastructure

SUMMARY—Requires certain governmental entities to conduct certain sales and other disposals of certain public lands and real property by public auction. (BDR 26-1089)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to real property; requiring certain governmental entities to conduct certain sales and other disposals of certain public lands and real property by public auction; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the State Land Registrar to cause the sale of certain
- 2 state lands by public auction or upon sealed bids. (NRS 321.335)
- 3 This bill provides that the sale of such lands must be by public auction.
- 4 Existing law authorizes the board of county commissioners of a county, with
- 5 regard to certain real property owned by the county, to sell the property by public
- 6 auction, sell the property through a licensed real estate broker, or exchange the
- 7 property for other real property of substantially equal value. (NRS 244.281)
- 8 This bill provides that such real property must be disposed of by sale by public
- 9 auction.



Existing law authorizes the city council or other governing body of a city to acquire, hold and dispose of real property owned by the city. (NRS 266.265, 266.267, 268.008, 268.048-268.058)

This bill provides that, with the exception of certain conveyances for the purpose of industrial development, and certain conveyances to certain corporations for public benefit and nonprofit organizations for the development of affordable housing, the governing body may not sell or otherwise dispose of property owned by the city except by public auction.

Existing law authorizes a municipality (defined pursuant to NRS 496.020 as a county, city or town) to sell, lease or otherwise dispose of an airport, air navigation facility or other related property, or any portion thereof or interest therein, and provides procedures alternative to disposal in the form of certain contracts, leases and arrangements not exceeding 50 years in duration. (NRS 496.080, 496.090)

This bill provides that the sale or disposal of such property must be made by public auction, and prohibits the use of alternative procedures to circumvent the requirement of a public auction.

Existing law authorizes the Airport Authorities of Battle Mountain, Carson City and Washoe County to sell, lease or otherwise dispose of real property.

This bill provides that such disposals of real property must be made by public auction.

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

Section 1. NRS 321.335 is hereby amended to read as follows:

321.335 1. Except as *otherwise* provided in NRS 321.125 and 321.510, after April 1, 1957, all sales of any lands that the Division is required to hold pursuant to NRS 321.001, including lands subject to contracts of sale that have been forfeited, are governed by the provisions of this section.

2. Whenever the State Land Registrar deems it to be in the best interests of the State of Nevada that any lands owned by the State and not used or set apart for public purposes be sold, he may, with the approval of the State Board of Examiners and the Interim Finance Committee, cause those lands to be sold at public auction , ~~for upon sealed bids,~~ for cash or pursuant to contract of sale, at a price not less than their appraised value plus the costs of appraisal and publication of notice of sale.

3. Before offering any land for sale, the State Land Registrar shall cause it to be appraised by a competent appraiser.

4. After receipt of the report of the appraiser, the State Land Registrar shall cause a notice of sale to be published once a week for 4 consecutive weeks in a newspaper of general circulation published in the county where the land to be sold is situated, and in such other newspapers as he deems appropriate. If there is no newspaper published in the county where the land to be sold is situated, the notice must be so published in a newspaper published



1 in this State having a general circulation in the county where the
2 land is situated.

3 5. The notice must contain:

4 (a) A description of the land to be sold;

5 (b) A statement of the terms of sale;

6 (c) A statement ~~[of whether]~~ **that** the land will be sold at public
7 auction ~~[or upon sealed bids]~~ to the highest bidder; **and**

8 (d) ~~[If the sale is to be at public auction, the]~~ **The** time and place
9 of **the** sale. ~~[- and~~

10 ~~—(e) If the sale is to be upon sealed bids, the place where the bids~~
11 ~~will be accepted, the first and last days on which the bids will be~~
12 ~~accepted, and the time when and place where the bids will be~~
13 ~~opened.]~~

14 6. The State Land Registrar may reject any bid ~~[or offer to~~
15 ~~purchase]~~ if he deems the bid ~~[or offer]~~ to be:

16 (a) Contrary to the public interest.

17 (b) For a lesser amount than is reasonable for the land involved.

18 (c) On lands which it may be more beneficial for the State to
19 reserve.

20 (d) On lands which are requested by the State of Nevada or any
21 department, agency or institution thereof.

22 7. Upon acceptance of any bid ~~[or offer]~~ and payment to the
23 State Land Registrar in accordance with the terms of sale specified
24 in the notice of sale, the State Land Registrar shall convey title by
25 quitclaim or cause a patent to be issued as provided in NRS 321.320
26 and 321.330.

27 8. The State Land Registrar may require any person requesting
28 that state land be sold pursuant to the provisions of this section to
29 deposit a sufficient amount of money to pay the costs to be incurred
30 by the State Land Registrar in acting upon the application, including
31 the costs of publication and the expenses of appraisal. This deposit
32 must be refunded whenever the person making the deposit is not the
33 successful bidder. The costs of acting upon the application,
34 including the costs of publication and the expenses of appraisal,
35 must be borne by the successful bidder.

36 **Sec. 2.** NRS 244.281 is hereby amended to read as follows:

37 244.281 Except as otherwise provided in NRS 244.276,
38 244.279, 244.2825 and 244.288:

39 1. When a board of county commissioners has determined by
40 resolution that the sale ~~[or exchange]~~ of any real property owned by
41 the county will be for purposes other than to establish, align, realign,
42 change, vacate or otherwise adjust any street, alley, avenue or other
43 thoroughfare, or portion thereof, or flood control facility within the
44 county and will be in the best interest of the county, it may **[-**



1 ~~—(a) Sell~~ **sell** the property at public auction, in the manner
2 prescribed for the sale of real property in NRS 244.282.

3 ~~[(b) Sell the property through a licensed real estate broker, or if
4 there is no real estate broker resident of the county, the board of
5 county commissioners may negotiate the sale of the property. No
6 exclusive listing may be given. In all listings, the board of county
7 commissioners shall specify the minimum price, the terms of sale
8 and the commission to be allowed, which must not exceed the
9 normal commissions prevailing in the community at the time.~~

10 ~~—(c) Exchange the property for other real property of substantially
11 equal value, or for other real property plus an amount of money
12 equal to the difference in value, if it has also determined by
13 resolution that the acquisition of the other real property will be in
14 the best interest of the county.~~

15 ~~—2. Before the board of county commissioners may sell or
16 exchange any real property as provided in paragraphs (b) and (c) of
17 subsection 1, it shall:~~

18 ~~—(a) Post copies of the resolution described in subsection 1 in
19 three public places in the county; and~~

20 ~~—(b) Cause to be published at least once a week for 3 successive
21 weeks, in a newspaper qualified under chapter 238 of NRS that is
22 published in the county in which the real property is located, a
23 notice setting forth:~~

24 ~~—(1) A description of the real property proposed to be sold or
25 exchanged in such a manner as to identify it;~~

26 ~~—(2) The minimum price, if applicable, of the real property
27 proposed to be sold or exchanged; and~~

28 ~~—(3) The places at which the resolution described in
29 subsection 1 has been posted pursuant to paragraph (a), and any
30 other places at which copies of that resolution may be obtained.~~

31 ~~—If no qualified newspaper is published within the county in which
32 the real property is located, the required notice must be published in
33 some qualified newspaper printed in the State of Nevada and having
34 a general circulation within that county.~~

35 ~~—3. In addition to the requirements set forth in paragraph (b) of
36 subsection 2, in case of:~~

37 ~~—(a) A sale, the notice must state the name of the licensed real
38 estate broker handling the sale and invite interested persons to
39 negotiate with him.~~

40 ~~—(b) An exchange, the notice must call for offers of cash or
41 exchange. The commission shall accept the highest and best offer.~~

42 ~~—4.]~~ **2.** If the board of county commissioners by its resolution
43 further finds that the property to be sold is worth more than \$1,000,
44 the board shall appoint one or more disinterested, competent real
45 estate appraisers to appraise the property, and, except for property



1 acquired pursuant to NRS 371.047, shall not sell ~~for exchange~~ it for
2 less than the appraised value.

3 ~~[5-]~~ 3. If the property is appraised at \$1,000 or more, the board
4 of county commissioners may sell it either for cash or for not less
5 than 25 percent cash down and upon deferred payments over a
6 period of not more than 10 years, secured by a mortgage or deed of
7 trust, bearing such interest and upon such further terms as the board
8 of county commissioners may specify.

9 ~~[6-]~~ 4. As used in this section, "flood control facility" has the
10 meaning ascribed to it in NRS 244.276.

11 **Sec. 3.** Chapter 266 of NRS is hereby amended by adding
12 thereto a new section to read as follows:

13 *Except as otherwise provided in NRS 268.048 to 268.058,*
14 *inclusive, if the city council of a city sells or otherwise disposes of*
15 *real property owned by the city, the sale or other disposal must be*
16 *made by public auction.*

17 **Sec. 4.** NRS 266.265 is hereby amended to read as follows:

18 266.265 1. The city council may:

19 (a) Control the property of the city.

20 (b) Erect and maintain all buildings, structures and other
21 improvements for the use of the city.

22 (c) ~~[Purchase,]~~ *Except as otherwise provided in section 3 of this*
23 *act, purchase,* receive, hold, sell, lease, convey and dispose of
24 property, real and personal, for the benefit of the city, both within
25 and without the city boundaries, improve and protect such property,
26 and do all other things in relation thereto which natural persons
27 might do.

28 2. Except as otherwise provided by law, the city council may
29 not mortgage, hypothecate or pledge any property of the city for any
30 purpose.

31 **Sec. 5.** NRS 266.267 is hereby amended to read as follows:

32 266.267 1. A city council shall not enter into a lease of real
33 property owned by the city for a term of 3 years or longer or enter
34 into a contract for the sale or exchange of real property until after
35 the property has been appraised by one disinterested appraiser
36 employed by the city. Except as otherwise provided in this section
37 and paragraph (a) of subsection 1 of NRS 268.050 ~~[a]~~:

38 *(a) The sale or other disposal of real property must be made by*
39 *public auction as required pursuant to section 3 of this act; and*

40 *(b) A lease, sale or exchange must be made at or above*
41 *the current appraised value of the real property as determined by the*
42 *appraiser unless the city council, in a public hearing held before the*
43 *adoption of the resolution to lease, sell or exchange the property,*
44 *determines by affirmative vote of not fewer than two-thirds of the*
45 *entire city council based upon specified findings of fact that a lesser*



1 value would be in the best interest of the public. For the purposes of
2 this subsection, an appraisal is not considered current if it is more
3 than 3 years old.

4 2. The city council may sell, lease or exchange real property
5 for less than its appraised value to any person who maintains or
6 intends to maintain a business within the boundaries of the city
7 which is eligible pursuant to NRS 374.357 for an abatement from
8 the sales and use taxes imposed pursuant to chapter 374 of NRS.

9 **Sec. 6.** Chapter 268 of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *Except as otherwise provided in NRS 268.048 to 268.058,*
12 *inclusive, if the governing body of a city sells or otherwise disposes*
13 *of real property owned by the city, the sale or other disposal must*
14 *be made by public auction.*

15 **Sec. 7.** NRS 268.008 is hereby amended to read as follows:

16 268.008 An incorporated city may:

17 1. Have and use a common seal, which it may alter at pleasure.

18 2. Purchase, receive, hold and use personal and real property
19 wherever situated.

20 3. ~~{Sell,}~~ *Except as otherwise provided in section 6 of this act,*
21 *sell,* convey and dispose of such personal and real property for the
22 common benefit.

23 4. Determine what are public uses with respect to powers of
24 eminent domain.

25 5. Acquire, own and operate a public transit system both within
26 and without the city.

27 6. Receive bequests, devises, gifts and donations of all kinds of
28 property wherever situated in fee simple, in trust or otherwise, for
29 charitable or other purposes and do anything necessary to carry out
30 the purposes of such bequests, devises, gifts and donations with full
31 power to manage, sell, lease or otherwise dispose of such property
32 in accordance with the terms of such bequest, devise, gift or
33 donation.

34 **Sec. 8.** NRS 496.080 is hereby amended to read as follows:

35 496.080 1. Except as *otherwise provided in subsection 2 or*
36 *as* may be limited by the terms and conditions of any grant, loan or
37 agreement pursuant to NRS 496.180, every municipality may, by
38 sale, lease or otherwise, dispose of any airport, air navigation
39 facility, or other property, or portion thereof or interest therein,
40 acquired pursuant to this chapter.

41 2. The disposal by sale, lease or otherwise ~~{shall be in}~~ *must*
42 *be:*

43 (a) *Made by public auction; and*

44 (b) *In* accordance with the laws of this State, or provisions of
45 the charter of the municipality, governing the disposition of other



1 property of the municipality, except that in the case of disposal to
2 another municipality or agency of the State or Federal Government
3 for aeronautical purposes incident thereto, the sale, lease or other
4 disposal may be effected in such manner and upon such terms as the
5 governing body of the municipality may deem in the best interest of
6 the municipality, and except as otherwise provided in subsections 3,
7 4 and 5 of NRS 496.090.

8 **Sec. 9.** NRS 496.090 is hereby amended to read as follows:

9 496.090 1. In operating an airport or air navigation facility or
10 any other facilities appertaining to the airport owned, leased or
11 controlled by a municipality, the municipality may, except as
12 limited by the terms and conditions of any grant, loan or agreement
13 pursuant to NRS 496.180, enter into:

14 (a) Contracts, leases and other arrangements with any persons:

15 (1) Granting the privilege of using or improving the airport
16 or air navigation facility, or any portion or facility thereof, or space
17 therein, for commercial purposes. The municipality may, if it
18 determines that an improvement benefits the municipality,
19 reimburse the person granted the privilege for all or any portion of
20 the cost of making the improvement.

21 (2) Conferring the privilege of supplying goods,
22 commodities, things, services or facilities at the airport or air
23 navigation facility or other facilities.

24 (3) Making available services to be furnished by the
25 municipality or its agents or by other persons at the airport or air
26 navigation facility or other facilities.

27 (4) Providing for the maintenance of the airport or air
28 navigation facility, or any portion or facility thereof, or space
29 therein.

30 (5) Allowing residential occupancy of property acquired by
31 the municipality.

32 (b) Contracts for the sale of revenue bonds or other securities
33 whose issuance is authorized by the Local Government Securities
34 Law or NRS 496.150 or 496.155, for delivery within 10 years after
35 the date of the contract.

36 2. In each case the municipality may establish the terms and
37 conditions and fix the charges, rentals or fees for the privileges or
38 services, which must be reasonable and uniform for the same class
39 of privilege or service and must be established with due regard to
40 the property and improvements used and the expenses of operation
41 to the municipality.

42 3. ~~[As]~~ *Except as otherwise provided in this subsection, and*
43 *as* an alternative to the procedure provided in subsection 2 of NRS
44 496.080, to the extent of its applicability, the governing body of any
45 municipality may authorize it to enter into any such contracts, leases



1 and other arrangements with any persons, as provided in this
2 section, for a period not exceeding 50 years, upon such terms and
3 conditions as the governing body deems proper. *The provisions of*
4 *this subsection must not be used to circumvent the requirement set*
5 *forth in subsection 2 of NRS 496.080 that the disposal of real*
6 *property be made by public auction.*

7 4. Before entering into any such contract, lease or other
8 arrangements, the municipality shall publish notice of its intention
9 in general terms in a newspaper of general circulation within the
10 municipality at least once a week for 21 days or three times during a
11 period of 10 days. If there is not a newspaper of general circulation
12 within the municipality, the municipality shall post a notice of its
13 intention in a public place at least once a week for 30 days. The
14 notice must specify that a regular meeting of the governing body is
15 to be held, at which meeting any interested person may appear. No
16 such contract, lease or other arrangement may be entered into by the
17 municipality until after the notice has been given and a meeting held
18 as provided in this subsection.

19 5. Any member of a municipality's governing body may vote
20 on any such contract, lease or other arrangement notwithstanding
21 the fact that the term of the contract, lease or other arrangement may
22 extend beyond his term of office.

23 **Sec. 10.** Section 10 of the Airport Authority Act for Battle
24 Mountain, being chapter 458, Statutes of Nevada 1983, as amended
25 by chapter 230, Statutes of Nevada 1991, at page 508, is hereby
26 amended to read as follows:

27 Sec. 10. Authority: General powers. The Authority
28 may do all things necessary to accomplish the purposes of
29 this act. The Authority may, by reason of example and not of
30 limitation:

31 1. Have perpetual succession and sue and be sued.

32 2. Plan, establish, acquire, construct, improve and
33 operate an airport within Lander County.

34 3. Acquire real or personal property or any interest
35 therein by gift, lease or purchase for any of the purposes
36 provided in this section, including the elimination, prevention
37 or marking of airport hazards.

38 4. ~~[Sell,]~~ *Except as otherwise provided in this*
39 *subsection, sell,* lease or otherwise dispose of any real
40 property. *If the Authority sells or otherwise disposes of real*
41 *property, the sale or other disposal must be made by public*
42 *auction.*

43 5. Acquire real property or any interest therein in areas
44 most affected by aircraft noise for the purpose of resale or



1 lease thereof, subject to restrictions limiting its use to
2 industrial or other purposes least affected by aircraft noise.

3 6. Enter into agreements with Lander County and Battle
4 Mountain to acquire, by lease, gift, purchase or otherwise,
5 any airport of the county or municipality and to operate the
6 airport.

7 7. Exercise the power of eminent domain and dominant
8 eminent domain in the manner provided by law for the
9 condemnation by a town of private property for public use to
10 take any property necessary to the exercise of the powers
11 granted, within the designated district in Lander County.

12 8. Apply directly to the proper federal, state, county and
13 municipal officials and agencies or to any other source, public
14 or private, for loans, grants, guarantees or other financial
15 assistance in aid of airports operated by it, and accept the
16 same.

17 9. Prepare and adopt a comprehensive, long-term
18 general plan for the physical development of all property
19 owned and operated by the Authority for submission to the
20 Board of County Commissioners of Lander County. The
21 Authority may prepare and adopt for approval by the Board
22 of County Commissioners of Lander County a comprehensive
23 zoning plan of all property owned or operated by the
24 Authority. The zoning plan must be consistent with the
25 requirements of chapter 497 of NRS and any applicable
26 federal laws and regulations.

27 10. Have control of its airports with the right and duty to
28 establish and charge fees, rentals, rates and other charges, and
29 collect revenues therefrom, not inconsistent with the rights of
30 the holders of its bonds, and enter into agreements with
31 carriers for the payment of landing fees, rental rates and other
32 charges.

33 11. Use in the performance of its functions the officers,
34 agents, employees, services, facilities, records and equipment
35 of Lander County or Battle Mountain, with the consent of the
36 county or municipality and subject to such terms and
37 conditions as may be agreed upon.

38 12. Enter upon such lands, waters or premises as in the
39 judgment of the Authority may be necessary for the purpose
40 of making surveys, soundings, borings and examinations to
41 accomplish any purpose authorized by this act. The Authority
42 is liable for actual damage done.

43 13. Provide its own fire protection, police and crash and
44 rescue service.



1 14. Contract with carriers with regard to landings and
2 the accommodations of the employees and passengers of such
3 carriers.

4 15. Contract with persons or corporations to provide
5 goods and services for the use of the employees and
6 passengers of the carriers and the employees of the Authority,
7 as necessary or incidental to the operation of the airports.

8 16. Hire and retain officers, agents and employees,
9 including a fiscal adviser, engineers, attorneys or other
10 professional or specialized personnel.

11 17. Adopt regulations governing vehicular traffic on its
12 airports , relating , but not limited to , speed restrictions,
13 stopping, standing and parking, loading zones, turning
14 movements and parking meters. It is unlawful for any person
15 to do any act forbidden or fail to perform any act required in
16 such regulations.

17 **Sec. 11.** Section 9 of the Airport Authority Act for Carson
18 City, being chapter 844, Statutes of Nevada 1989, at page 2026, is
19 hereby amended to read as follows:

20 Sec. 9. Board: General powers. The Board may:

21 1. Acquire real and personal property by gift or devise
22 for the purposes provided in this act.

23 2. With the approval of the Board of Supervisors:

24 (a) Acquire real and personal property by purchase or
25 lease for the purposes provided in this act.

26 (b) ~~Lease.~~ *Except as otherwise provided in this*
27 *paragraph, lease, sell or otherwise dispose of any property. If*
28 *the Board sells or otherwise disposes of real property, the*
29 *sale or other disposal must be made by public auction.*

30 3. Recommend to the Board of Supervisors any changes
31 in the laws governing zoning necessary to comply with the
32 regulations of the Federal Aviation Administration or to limit
33 the uses of the area near the airport to those least affected by
34 noise.

35 4. Use, in the performance of its functions, the officers,
36 employees, facilities and equipment of Carson City, with the
37 consent of Carson City and subject to such terms and
38 conditions as may be agreed upon by the Board and the Board
39 of Supervisors.

40 5. Provide emergency services for the Authority.

41 6. Contract with any person, including any person who
42 transports passengers or cargo by air, to provide goods and
43 services as necessary or desirable to the operation of the
44 airport. Any contract between the Board and a fixed base



operator must be submitted for approval by the Board of Supervisors.

7. Employ a manager of the airport, fiscal advisers, engineers, attorneys and other personnel necessary to the discharge of its duties.

8. Apply to any public or private source for loans, grants, guarantees or other financial assistance.

9. Establish fees, rates and other charges for the use of the airport.

10. Regulate vehicular traffic at the airport.

11. Adopt, enforce, amend and repeal any rules and regulations necessary for the administration and use of the airport.

12. Take such other action as is necessary to comply with any statute or regulation of this State or of the Federal Government.

Sec. 12. Section 10 of the Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, as last amended by chapter 359, Statutes of Nevada 1997, at page 1299, is hereby amended to read as follows:

Sec. 10. Authority: General powers. The Authority may do all things necessary to accomplish the purposes of this act. The Authority has perpetual succession and may, by way of example and not of limitation:

1. Sue and be sued.

2. Plan, establish, acquire, construct, improve and operate one or more airports within Washoe County.

3. Acquire real or personal property or any interest therein by gift, lease or purchase for any of the purposes provided in this section, including the elimination, prevention or marking of airport hazards.

4. ~~[Sell,]~~ *Except as otherwise provided in this subsection, sell, lease or otherwise dispose of any real property in such manner and upon such terms and conditions as the Board deems proper and in the best interests of the Authority. If the Board or Authority sells or otherwise disposes of real property, the sale or other disposal must be made by public auction.*

5. Acquire real property or any interest therein in areas most affected by the noise of aircraft for the purpose of resale or lease thereof, subject to restrictions limiting its use to industrial or other purposes least affected by aircraft noise.

6. Enter into agreements with Washoe County and the cities of Reno and Sparks to acquire, by lease, gift, purchase



1 or otherwise, any airport of such county or municipality and
2 to operate that airport.

3 7. Exercise the power of eminent domain and dominant
4 eminent domain in the manner provided by law for the
5 condemnation by a city of private property for public use to
6 take any property necessary to the exercise of the powers
7 granted, within Washoe County.

8 8. Apply directly to the proper federal, state, county and
9 municipal officials and agencies or to any other source, public
10 or private, for loans, grants, guarantees or other financial
11 assistance in aid of airports operated by it, and accept the
12 same.

13 9. Study and recommend to the Board of County
14 Commissioners of Washoe County and the city councils of
15 the cities of Reno and Sparks zoning changes in the area of
16 any airport operated by the Authority with respect to noise,
17 height and aviation obstructions in order to enable the
18 Authority to meet the requirements of any regulations of the
19 Federal Aviation Administration.

20 10. Control its airports with the right and duty to
21 establish and charge fees, rentals, rates and other charges, and
22 collect revenues therefrom, not inconsistent with the rights of
23 the holders of its bonds, and enter into agreements with
24 carriers for the payment of landing fees, rental rates and other
25 charges.

26 11. Use in the performance of its functions the officers,
27 agents, employees, services, facilities, records and equipment
28 of Washoe County or the cities of Reno and Sparks, with the
29 consent of the respective county or municipality, and subject
30 to such terms and conditions as may be agreed upon.

31 12. Enter upon such lands, waters or premises as in the
32 judgment of the Authority may be necessary for the purpose
33 of making surveys, soundings, borings and examinations to
34 accomplish any purpose authorized by this act. The Authority
35 is liable for actual damage done.

36 13. Provide its own fire protection, police and crash and
37 rescue service. A person employed by the Authority to
38 provide police service to the Authority has the powers and
39 must have the training required of a law enforcement officer
40 pursuant to Part 107 of Title 14 of the Code of Federal
41 Regulations, as those provisions existed on January 1, 1997.
42 A person employed by the Authority to provide police service
43 shall be deemed to be a peace officer for the purposes of
44 determining retirement benefits under the Public Employees'
45 Retirement System.



1 14. Contract with carriers with regard to landings and
2 the accommodations of the employees and passengers of
3 those carriers.

4 15. Contract with persons or corporations to provide
5 goods and services for the use of the employees and
6 passengers of the carriers and the employees of the Authority,
7 as necessary or incidental to the operation of the airports.

8 16. Hire and retain officers, agents and employees,
9 including a fiscal adviser, engineers, attorneys or other
10 professional or specialized personnel.

11 17. Adopt regulations governing vehicular traffic on the
12 public areas of its airports , relating to , but not limited to ,
13 speed restrictions, turning movements and other moving
14 violations. It is unlawful for any person to do any act
15 forbidden or fail to perform any act required in such
16 regulations.

17 18. Adopt regulations governing parking, loading zones
18 and ground transportation operations on its airports and
19 governing traffic on restricted areas of its airports. The
20 Authority may establish a system of:

21 (a) Administrative procedures for review of alleged
22 violations of such regulations; and

23 (b) Remedies for violations of such regulations, including
24 the imposition of administrative fines to be imposed upon and
25 collected from persons violating such regulations.

26 **Sec. 13.** This act becomes effective on July 1, 2005.



