

SENATE BILL NO. 110—COMMITTEE ON FINANCE

FEBRUARY 22, 2005

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning Airport Authority of Washoe County. (BDR S-545)

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 airports; changing the name of the Airport Authority of Washoe County to the Reno-Tahoe Airport Authority; exempting certain contracts entered into by the Board of Trustees of the Authority from provisions requiring public bidding and certain other requirements under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Airport Authority of Washoe County and confers various duties and powers upon the Airport Authority, including the power to levy and collect certain general taxes, borrow money and issue securities. (Chapter 474 of Statutes of Nevada 1977, as amended by Chapter 668 of Statutes of Nevada 1979)

This bill amends various sections of the Airport Authority Act for Washoe County to change the name of the Authority to the Reno-Tahoe Airport Authority.

This bill also exempts the Airport Authority from complying with provisions of law that require public bidding and other requirements generally imposed upon a public contract or project, acquisition, works or improvements in certain circumstances. This exemption applies only to a contract entered into by the Board of Trustees of the Airport Authority which is financed by issuing revenue bonds or by certain installment obligations. However, the provisions of law concerning wages and other employment matters remain applicable to these contracts.



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

Section 1. The Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, at page 968, is hereby amended by adding thereto a new section to be designated as section 9.5, immediately following section 9, to read as follows:

Sec. 9.5. 1. Except as otherwise provided in subsection 2, the provisions of any law requiring public bidding or otherwise imposing requirements on any public contract, project, acquisition, works or improvements, including, without limitation, the provisions of chapters 332, 338 and 339 of NRS, do not apply to any contract entered into by the Board if the Board finances the contract, project, acquisition, works or improvement by means of:

(a) Revenue bonds issued by the Authority; or

(b) An installment obligation of the Authority in a transaction in which:

(1) The Authority acquires real or personal property and another person acquires or retains a security interest in that or other property; and

(2) The obligation by its terms is extinguished by failure of the Board to appropriate money for the ensuing fiscal year for payment of the amounts then due.

2. A contract entered into by the Board pursuant to this section must contain a provision stating that the requirements of NRS 338.010 to 338.090, inclusive, apply to any construction work performed pursuant to the contract.

Sec. 2. The title of the Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, at page 968, is hereby amended to read as follows:

AN ACT creating the *Reno-Tahoe* Airport Authority ; ~~for Washoe County;~~ making legislative findings and declarations; defining certain words and terms; providing for the appointment, number, terms, compensation, duties and powers of a board of trustees; specifying the powers of the Authority, including the power to levy and collect general (ad valorem) taxes, borrow money and issue securities to evidence such borrowing; requiring the transfer of airport properties, functions and outstanding obligations of the City of Reno to the Authority; providing penalties; and providing other matters properly relating thereto.



1 **Sec. 3.** Section 1 of the Airport Authority Act for Washoe
2 County, being chapter 474, Statutes of Nevada 1977, as amended by
3 chapter 668, Statutes of Nevada 1979, at page 1644, is hereby
4 amended to read as follows:

5 Section 1. This act may be cited as the **Reno-Tahoe**
6 Airport Authority Act. ~~{for Washoe County.}~~

7 **Sec. 4.** Section 2 of the Airport Authority Act for Washoe
8 County, being chapter 474, Statutes of Nevada 1977, as amended by
9 chapter 668, Statutes of Nevada 1979, at page 1645, is hereby
10 amended to read as follows:

11 Sec. 2. 1. The Legislature finds that:

12 (a) The airport of the City of Reno has traditionally been
13 operated by the City as a municipal function and originally
14 served primarily the city residents.

15 (b) With the development of multiple contiguous
16 communities, suburban living and rapid increases in
17 recreational pursuits by the traveling public, the airport of the
18 City of Reno is now serving the inhabitants of a large
19 geographical area and ever-increasing numbers of tourists.

20 (c) What was once a municipal airport in both name and
21 fact is now a regional airport.

22 (d) The financial problems of the airport have become
23 more complex and administrative activities are required to be
24 more responsive to the community at large and the directly
25 paying airport tenants and users.

26 (e) The City of Reno is unable to operate the airport
27 effectively within the traditional framework of local
28 government, evidencing the need to create a special
29 governmental corporation to provide specific facilities and
30 services to the public.

31 (f) Development of the modern airport requires the
32 expenditure of vast sums of money for land acquisitions and
33 capital improvements not available to the City of Reno
34 through the issuance of municipal securities secured by
35 general obligation tax receipts.

36 (g) Because of special circumstances and conditions a
37 general law cannot be made applicable, and this special act
38 will allow the tax burden to spread over Washoe County
39 rather than coming to rest solely upon the principal
40 municipality of Washoe County.

41 (h) This act will accommodate the expanding urban
42 population patterns, provide adequate funding and establish
43 the administrative machinery necessary to insure adequate air
44 service to the region.



2. It is hereby declared as a matter of legislative determination that:

(a) The organization of the **Reno-Tahoe** Airport Authority ~~{of Washoe County}~~ having the purposes, powers, rights, privileges and immunities provided in this act will serve a public use and will promote the general welfare by facilitating safe and convenient air travel and transport to and from the Reno area.

(b) The acquisition, operation and financing of airports and related facilities by the **Reno-Tahoe** Airport Authority ~~{of Washoe County}~~ is for a public and governmental purpose and a matter of public necessity.

(c) The **Reno-Tahoe** Airport Authority ~~{of Washoe County}~~ is a body corporate and politic and a quasi-municipal corporation, the geographical boundaries of which are coterminous with the boundaries of Washoe County.

(d) For the accomplishment of the purposes stated in this subsection, the provisions of this act shall be broadly construed.

Sec. 5. Section 3 of the Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, as amended by chapter 668, Statutes of Nevada 1979, at page 1646, is hereby amended to read as follows:

Sec. 3. As used in this act the following words or phrases are defined as follows:

1. "Airport" means any one or more airports or heliports and related facilities, including but not limited to land and interests in land, facilities for storage of air and space craft, navigation and landing aids, taxiways, pads, aprons, control towers, passenger and cargo terminal buildings, hangars, administration and office buildings, garages, parking lots and such other structures, facilities and improvements as are necessary or convenient to the development and maintenance of airports and heliports and for the promotion and accommodation of air and space travel, commerce and navigation.

2. "Authority" means the **Reno-Tahoe** Airport Authority ~~{of Washoe County}~~ created pursuant to the provisions of this act.

3. "Board of Trustees" and "Board" each means the Board of Trustees of the Authority.

4. "Carrier" means any person or corporation engaged in the air or space transportation of passengers or cargo.

5. "City of Reno" means the municipal corporation in Washoe County, Nevada, created and existing pursuant to the



provisions of chapter 662, Statutes of Nevada 1971, as amended.

6. "City of Sparks" means the municipal corporation in Washoe County, Nevada, created and existing pursuant to the provisions of chapter 470, Statutes of Nevada 1975, as amended.

7. "Washoe County" means the county created by and described in NRS 243.340.

Sec. 6. Section 4 of the Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, as last amended by chapter 508, Statutes of Nevada 1985, at page 1554, is hereby amended to read as follows:

Sec. 4. 1. The **Reno-Tahoe** Airport Authority ~~of Washoe County~~ is hereby created.

2. The property and revenues of the Authority, any interest of any creditor therein, and any possessory interest in or right to use that property which the Authority may grant, are exempt from all state, county and municipal taxation.

Sec. 7. Section 9 of the Airport Authority Act for Washoe County, being chapter 474, Statutes of Nevada 1977, as last amended by chapter 374, Statutes of Nevada 2001, at page 1828, is hereby amended to read as follows:

Sec. 9. 1. Except as otherwise provided in subsection 2 ~~H~~ **and section 9.5 of this act**, the Board shall comply with the provisions of the Local Government Purchasing Act and the Local Government Budget and Finance Act.

2. Except as otherwise provided in section 10.2 of this act, any concession agreement entered into by the Authority in conformity with the provisions of that section need not conform to the requirements of the Local Government Purchasing Act.

Sec. 8. Any reference to the Airport Authority of Washoe County in any written agreement, contract, record or official document created before July 1, 2005, shall be deemed to be a reference to the Reno-Tahoe Airport Authority, and any such agreement, contract, record or official document remains valid and enforceable.

Sec. 9. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any reference to an officer, agency or



- 1 other entity whose name is changed or whose responsibilities are
- 2 transferred pursuant to the provisions of this act to refer to the
- 3 appropriate officer, agency or other entity.
- 4 **Sec. 10.** This act becomes effective on July 1, 2005.



