

Senate

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - March 27, 1975

Present: Chairman Gibson
 Senator Dodge
 Senator Foote
 Senator Walker
 Senator Gojack
 Senator Hilbrecht
 Senator Schofield.

Also Present:
 Bob Kerns, Police & Fire Fighters
 Roger A. Stahl, Police Dept.
 James Hartshorne, Reno Police Protective Assn.
 Richard W. Blakey, Sierra Pacific Power Co.
 Joe L. Bremban, Sierra Pacific Power Co.
 Tom Young, Sierra Pacific Power Co.
 Bob Warren, Nevada League of Cities
 Millard G. Reed, Reno Admin. Prof. Employees Group
 Steve Robinson, Governor's office of planning
 Robert H. Oldland, Reno City Manager
 Sam Dibitonto, Reno Mayor
 Joe H. Latimore, City of Reno
 James Berry, Reno, interested party
 Bob Broadbent, County Commissioners, Clark County

The twenty fourth meeting of the Government Affairs Committee was called to order at 3:10 p.m. and the minutes reflect that a quorum was present.

SB-357 Authorizes the City of Reno to issue tax increment securities which may be also payable from other tax proceeds and other revenues and provides other provisions concerning the foregoing. (BDR S-1318)

Mayor Sam Dibitonto, Reno Mayor, spoke to the committee on the many benefits that this bill could help them achieve, especially in the downtown area of Reno. The money used from these securities would help in the revitalization program for the downtown areas that are in very bad shape. Mr. Dibitonto indicated that the city of Sparks is very much interested in being added to this bill. In California it started out in one city and then another until the state made a bill for all cities to take advantage of this method of getting needed funds for the community. This method of interim financing is working well in San Diego and is legally sound, not allowing you to use the funds for anything outside the primary cause as each project has to be defined.

Senator Foote also noted that the City of Sparks was very much interested in benefits of SB-357 and would like to be added to the bill.

SB-387 Amends charter of city of Reno by increasing number of appointive officers. (BDR S-1385)

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Mayor Dibitonto stated that in SB-387 they are only asking for the ability to choose their own people. Many of the changes are only title changes to make them describe the job better. Some are incorporating two jobs into one. (See the attached)

Chairman Gibson suggested that the city charter be amended to give them the authority to appoint their own people and make the necessary changes without having to come to the legislature.

Mayor Dibitonto felt that was an excellent idea and hoped that this would be changed so they would be responsible for their own.

SB-364 Amends County Economic Development Revenue Bond Law to promote furnishing of water if available on reasonable demand to member of public and amends and adds to manner of financing all projects authorized. (BDR 20-1317)

Chairman Gibson informed the committee that he received a phone call from Russ McDonald, drafter of SB-364, and he felt that the bill was needed and was drafted with the proper approval of the bond attorneys.

Mr. Joe Gremban, Executive Vice President of Sierra Pacific Power Company. Mr. Gremban stated that in a study to see what their savings for the consumer would be if they were able to issue tax exempt securities showed a savings from anywhere between 2-1/4% to 3% and if the rating of the utility company is low it could possibly be a higher percentage. Their attorneys felt that under this new section all of the water facilities would qualify for such treatment. Mr. Gremban felt that in 1975 alone they could realize a savings of \$133,000. in interest rate. Projected in the first seven years, on a cumulative basis, they could realize a savings of \$839,000. in interest costs. Mr. Gremban stated that none of the savings mentioned would go to the company but would be passed on to the consumer.

Mr. Richard Blakey, Sierra Pacific Power Company Attorney, stated that SB-364 is a devise by which consumers can avoid increased costs by reducing the taxes. Line 3, page 6 has a typographical error. It should read, "financing agreement" not "financing statement."

Mr. Bob Broadbent, County Commissioners, Clark County, has no objection to this bill.

Mr. Bob Warren, Nevada League of Cities, questions portions of the bill. On page 2, line 32 where it states "commercial". Doesn't understand the meaning of that word in the context of that particular area.

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Mr. Blakey stated that in drafting this bill Russ McDonald used the word "commercial" probably just as a precautionary term.

Senator Dodge questions the language on Page 2, line 33, "or for residential real and personal property", doesn't see the need for the power company to get into residential areas.

Mr. Gremban felt that if a governmental entity wanted to support a development that may have been set up on a commercial basis the language would then qualify for that tax exempt status.

Chairman Gibson suggested that the committee go over the bill and check with Russ McDonald on the necessity of these words. Previously the word "commercial" was taken out of a similar bill.

Bob Warren felt that the economic development bonds should be at a rating of 10% rather than 8% as the bill now reads.

Joe Lattimore, city of Reno, is in favor of this bill as it relates to utilities. There is a great need to help lower the costs of utilities.

Chairman Gibson then brought AB-463 to the attention of the committee. This bill has a time limit on it and it was being presented now in the hopes that it would be acted on as an emergency measure. There is a vacancy in Henderson in the office of the Justice of the Peace. AB-463 allows the county commission, in the case of an appointment to a vacancy, to provide for a special election. There will be an election in May and it was hoped that this could be put to a vote instead of being appointed.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Walker. Motion carried unanimously. Will be an emergency measure.

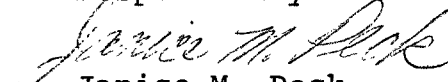
Mr. Broadbent, County Commissioners, is in favor of this bill.

Chairman Gibson requested Senator Hilbrecht to get with the real estate people and get their view and changes on the bill. The list of changes was quite lengthy. It was felt that it should be amended and re-referred back to the committee for action.

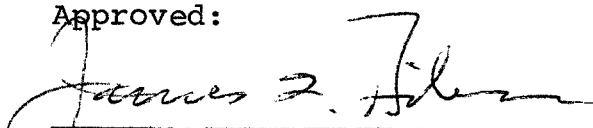
Motion of "Amend and re-refer back to committee" by Senator Dodge, seconded by Senator Gojack. Motion carried unanimously.

As there was no further business the meeting was adjourned, 4:30 p.m.

Respectfully submitted,


Janice M. Peck
Committee Secretary

Approved:


Chairman

S E N A T E

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AGENDA FOR COMMITTEE ON ... GOVERNMENT AFFAIRS

THURSDAY

DATE March 27, 1975 ... TIME 2:45 P.M. ... ROOM 345

Bills or Resolutions
to be considered

Subject

Counsel
Requested*

SB-357

Authorizes the City of Reno to issue tax increment securities which may be also payable from other tax proceeds and other revenues and provides other provisions concerning the foregoing. (BDR S-1318)

Notify: City of Reno

SB-364

Amends County Economic Development Revenue Bond Law to promote furnishing of water if available on reasonable demand to members of public and amends and adds to manner of financing all projects authorized. (BDR 20-1317)

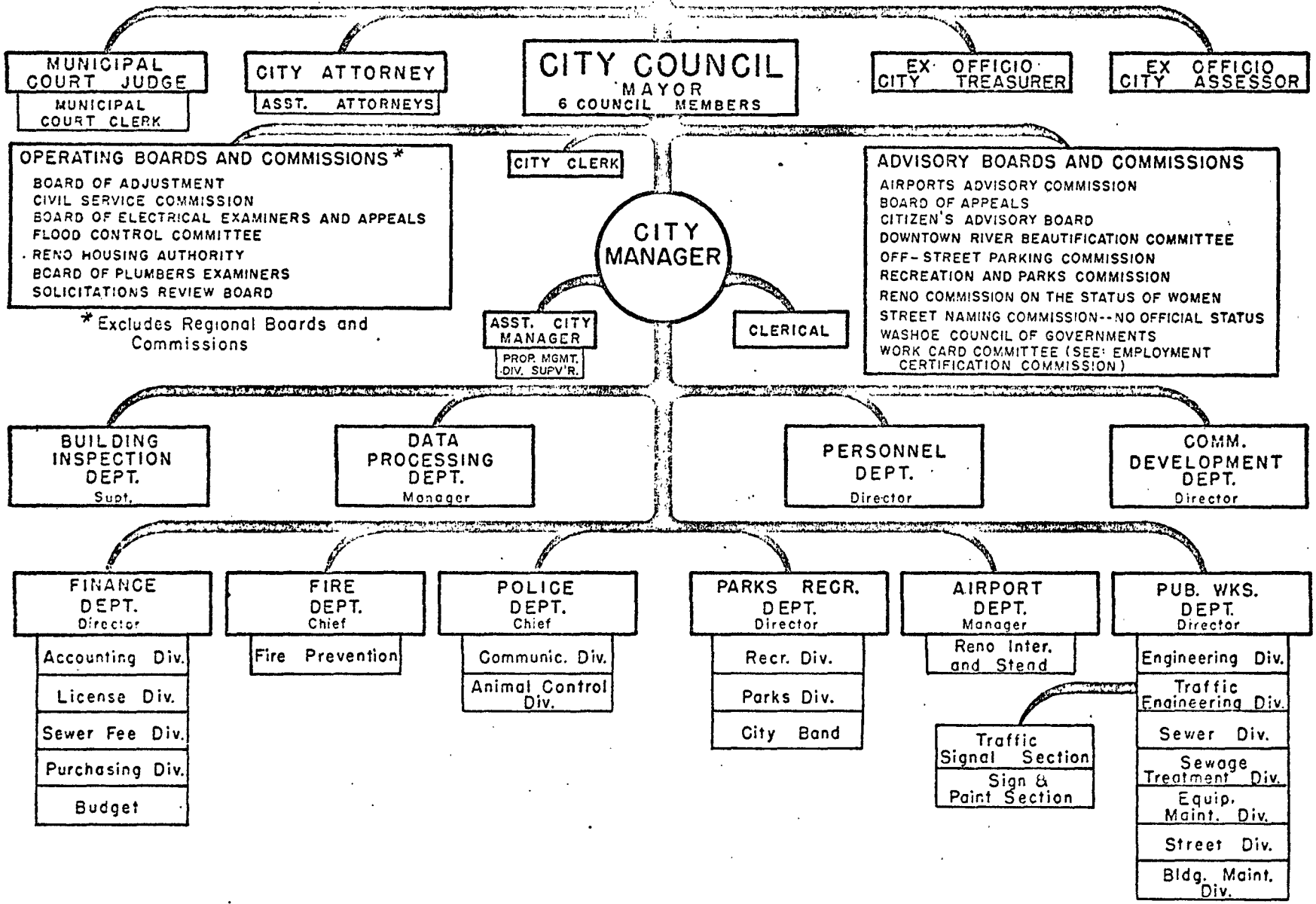
Notify: Washoe County, County Association
Wally Warren

SB-387

Amends charter of City of Reno by increasing number of appointive officers. (BDR S-1385)

Notify: Senator Raggio, City of Reno

CITIZENS OF RENO



S. B. 357

SENATE BILL NO. 357—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 19, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes the City of Reno to issue tax increment securities which may be also payable from other tax proceeds and other revenues and provides other provision concerning the foregoing. Fiscal Note: No. (BDR S-1318)



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

AN ACT designated as the Reno Revitalization and Redevelopment Law; providing tax increment accounts as special accounts for crediting thereto certain tax proceeds for the payment of bonds and other securities issued by the City of Reno to defray costs of acquiring, improving or equipping (or any combination thereof) any project or projects authorized by the City Bond Law, among other methods for their payment; providing procedures for determining tax increment areas pertaining to such tax allocations and for the issuance of such securities; concerning powers, rights, privileges, immunities, liabilities, duties, disabilities and other details in connection with such undertakings, such projects, such securities, the taxes and other revenues for their payment, their proceeds, other moneys, and pledges and liens pertaining thereto, including, without limitation, by reference to the City Bond Law and the Local Government Securities Law; concerning cooperative powers and other provisions among the city, other public bodies, the state and the Federal Government in connection therewith; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Short title. This act may be cited as the Reno Revital-
2 ization and Redevelopment Law.
- 3 SEC. 2. Legislative determination. The legislature by this act deter-
4 mines, finds and declares:
- 5 1. All property to be acquired by the city hereunder shall be owned,
6 operated, administered and maintained for and on behalf of all the people
7 of the city.
- 8 2. The reorganization of the city hereby promotes the public health,
9 comfort, safety, convenience and welfare of all the people of the state,
10 and will be of special benefit to the inhabitants of the city and the prop-
11 erty therein.
- 12 3. The provision in this act of the purposes, powers, rights, privileges,
13 immunities, liabilities, duties and disabilities concerning the city will
14 serve a public purpose.

1 4. Any notice provided for herein for any purpose is reasonably
2 calculated to inform each person of interest in any proceedings hereunder
3 which may directly and adversely affect his legally protected interests,
4 if any.

5 5. The necessity for this act results from:

6 (a) The large population growth in the urban areas hereby included
7 within the city and its environs, constituting in the aggregate a significant
8 portion of the state's population;

9 (b) The numerous capital improvements and large amount of
10 improved real property situated within such urban areas;

11 (c) The need of capital improvements within certain areas within the
12 city to provide needed services, facilities and other improvements for
13 public use;

14 (d) The existence of blighted or deteriorating areas within the city
15 constituting a serious and growing menace which is condemned as inju-
16 rious and inimical to the public health, safety and welfare of the people
17 of the state, and particularly the city;

18 (e) Such lack of such municipally owned capital improvements and
19 such blighted or deteriorating areas presenting difficulties and handicaps
20 which are beyond remedy and control solely by regulatory processes in
21 the exercise of the police power;

22 (f) Such deficiencies contributing substantially and increasingly to the
23 problems of, and necessitating excessive and disproportionate expenditures
24 for, crime prevention, and the preservation of the public health, safety
25 and welfare;

26 (g) Such deficiencies constituting an economic and social liability
27 imposing onerous municipal burdens which decrease the tax base and
28 reduce tax revenues, and aggravate traffic hazards and the improvement
29 of the traffic facilities; and

30 (h) The areas in which such deficiencies exist consuming an excessive
31 proportion of the city's revenues because of the extra services required
32 for police, fire, accident, hospitalization and other forms of public pro-
33 tection.

34 6. This menace is becoming increasingly direct and substantial in its
35 significance and effect.

36 7. The benefits which will result from the remedying of such defi-
37 ciencies by making available additional revenues to defray indirectly the
38 costs of undertakings within the city authorized by the City Bond Law
39 and the redevelopment of blighted or deteriorative areas therein will
40 accrue to the inhabitants and the property owners of the city as a whole,
41 will be of general benefit thereto, and will be of special benefits to the
42 taxable real property within a tax increment area and to the owners of
43 such property.

44 8. The method of paying the bond requirements of securities issued
45 hereunder is equitable and enables the city to issue securities to defray
46 the cost of any project or projects.

47 9. A general law cannot be made applicable to the city, and to prop-
48 erties, powers, rights, privileges, immunities, liabilities, duties and dis-
49 abilities pertaining thereto as herein provided, because of the number of
50 atypical factors and special conditions concerning them.

1 10. The powers, rights and privileges herein granted and the immuni-
2 ties, liabilities, duties and disabilities herein provided comply in all
3 respects with any requirement or limitation imposed by any constitutional
4 provision.

5 11. For the accomplishment of the purposes provided in this section
6 the provisions of this act shall be broadly construed.

7 SEC. 3. Definitions. Except as otherwise provided in this act or
8 where the context thereof otherwise requires, terms used or referred to
9 herein are as defined in the City Bond Law, as from time to time amended,
10 and except as otherwise provided in such law, as defined in the Local
11 Government Securities Law, as from time to time amended; but the defini-
12 tions in sections 4 to 21, inclusive, of this act, except where the context
13 otherwise requires, govern the construction hereof.

14 SEC. 4. Act defined. "Act" means this Reno Revitalization and
15 Redevelopment Law.

16 SEC. 5. Bond requirements defined. "Bond requirements" means
17 the principal of, any prior redemption premiums due in connection with,
18 and the interest on designated bonds or other securities.

19 SEC. 6. City, municipality defined. "City" or the "municipality"
20 means the City of Reno, in the county of Washoe and the State of Nevada.

21 SEC. 7. City charter defined. "City charter" means the special act
22 for the government of the city which was enacted as chapter 662, Stat-
23 utes of Nevada 1971, as from time to time amended.

24 SEC. 8. Cost of the undertaking defined. "Cost of the undertaking,"
25 or any phrase of similar import, means the "cost of any project" as the
26 latter phrase is defined in the Local Government Securities Law in NRS
27 350.516.

28 SEC. 9. County defined. "County" means the county of Washoe, in
29 the State of Nevada.

30 SEC. 10. Engineer defined. "Engineer" means the city engineer or
31 firm of engineers employed by the municipality in connection with any
32 undertaking, any project or the exercise of any power herein authorized.

33 SEC. 11. Facilities defined. 1. "Facilities" means buildings, struc-
34 tures, utilities or other properties pertaining to any undertaking or any
35 project herein authorized, including, without limitation, income-produc-
36 ing facilities, and facilities acquired with the proceeds of bonds or other
37 securities issued hereunder.

38 2. Facilities may consist of all properties, real, personal, mixed or
39 otherwise acquired by the city or the public body, as the case may be,
40 by any undertaking for any one or more projects through purchase,
41 condemnation, construction or otherwise, and used in connection with
42 any such project and related services or in any way pertaining thereto,
43 whether situated within or without or both within and without the ter-
44 ritorial limits of the city or the public body, as the case may be.

45 3. The city shall not acquire as a part of its facilities any properties
46 which at the time of their acquisition compete in any area with then exist-
47 ing properties of a public body providing the same or a similar function or
48 service therein, but the facilities of the city may complement such existing
49 properties of a public body by providing in such an area supplemental

1 functions or services if such existing properties provide inadequate func-
2 tions or services.

3 4. The city may acquire properties of any public body situate in the
4 city as one undertaking or a project of the city or an interest therein.

5 SEC. 12. Governing body defined. "Governing body," unless fur-
6 ther qualified, means the city council of the municipality; but if such term
7 is so qualified, such term has the meaning stated in the Local Government
8 Securities Law in NRS 350.524.

9 SEC. 13. Hereby, etc., defined. 1. "Hereby," "herein," "herein-
10 above," "hereinafter," "hereof," "hereunder," "herewith," or any term of
11 similar import, refers to this act and not solely to the particular portion
12 thereof in which such word is used.

13 2. "Heretofore" means before the adoption of this act.

14 3. "Hereafter" means after the adoption of this act.

15 SEC. 14. Mailed notice, notice by mail defined. 1. "Mailed notice"
16 or "notice by mail" means the giving by the engineer, clerk, or any deputy
17 thereof, as determined by the governing body, of any designated
18 written or printed notice addressed to the last-known owner or owners
19 of each tract in a tax increment area or other designated person at his
20 or their last-known address or addresses by deposit, at least 20 days
21 prior to the designated hearing or other time or event, in the United
22 States mails, postage prepaid as first-class mail.

23 2. The names and addresses of such property owners shall be
24 obtained from the records of the county assessor or from such other
25 source or sources as the clerk or the engineer deems reliable. Any list
26 of such names and addresses pertaining to any tax increment area may
27 be revised from time to time, but such a list need not be revised more
28 frequently than at 12-month intervals if any such list is needed for a
29 period longer than 12 months.

30 3. Any mailing of any notice herein required shall be verified by
31 the affidavit or certificate of the engineer, clerk, deputy, or other person
32 mailing the notice, which verification shall be retained in the records of
33 the municipality at least until all bonds and any other securities pertain-
34 ing to a tax increment account have been paid in full, or any claim is
35 barred by a statute of limitations.

36 4. Such verification of mailing shall be prima facie evidence of the
37 mailing of such notice in accordance with the requirements of this section.

38 SEC. 15. Newspaper defined. "Newspaper" means a newspaper
39 printed in the English language at least once each calendar week and pub-
40 lished and of general circulation in the city.

41 SEC. 16. Municipality defined. "Municipality" means the "city," as
42 herein defined.

43 SEC. 17. Posting defined. 1. "Posting" means posting in three pub-
44 lic places at or near the site of the undertaking or any project designated
45 at least 20 days prior to the designated hearing or other time or event.

46 2. Any posting of any notice herein required shall be verified by the
47 affidavit or certificate of the engineer, clerk, deputy, or other person post-
48 ing the notice and filed with the clerk, which verification shall be retained
49 in the records of the municipality at least until all the bonds and other

1 securities pertaining to a tax increment account have been paid in full, or
2 any claim is barred by a statute of limitations.

3 3. Such verification of posting shall be prima facie evidence of the
4 posting of such notice in accordance with the requirements of this section.

5 SEC. 18. Publication, publish defined. 1. "Publication" or "pub-
6 lish" means publication in at least one newspaper.

7 2. Except as herein otherwise expressly provided or necessarily
8 implied, "publication" or "publish" also means publication for at least
9 once a week for 3 consecutive weeks by 3 weekly insertions, the first pub-
10 lication being at least 15 days prior to the designated time or event.
11 Unless otherwise so stated, it shall not be necessary that publication be
12 made on the same day of the week in each of the 3 calendar weeks, but
13 not less than 14 days shall intervene between the first publication and
14 the last publication.

15 3. Publication shall be complete on the day of the last publication.

16 4. Any publication herein required shall be verified by the affidavit
17 of the publisher and filed with the clerk, which verification shall be
18 retained in the records of the municipality at least until all the bonds and
19 any other securities pertaining to a tax increment account have been paid
20 in full, or any claim is barred by a statute of limitations.

21 5. Such verification of publication shall be prima facie evidence of
22 the publication of such notice in accordance with the requirements of
23 this section.

24 SEC. 19. Tax increment account defined. "Tax increment account"
25 means a special account created pursuant to subsection 3 of section 28
26 hereof and other provisions herein supplemental thereto.

27 SEC. 20. Tax increment area defined. "Tax increment area" means
28 the area specially benefited by an undertaking hereunder, designated by
29 ordinance as provided in subsection 3 of section 28 hereof, and in which
30 is located the taxable property the assessed valuation of which is the
31 basis for the allocation of tax proceeds to the tax increment account
32 under section 29 hereof.

33 SEC. 21. Undertaking defined. "Undertaking" means any enterprise
34 to acquire, improve or equip (or any combination thereof) any project
35 or projects authorized in the City Bond Law and to defray the cost of
36 such enterprise wholly or in part by the issuance of the city's bonds or
37 other securities payable wholly or in part from tax proceeds allocated
38 to the tax increment account pertaining to such enterprise pursuant to
39 section 29 hereof.

40 SEC. 22. Construction. 1. This act, except where the context by
41 clear implication herein otherwise requires, shall be construed as follows:

42 (a) Sections, subsections, paragraphs and subparagraphs mentioned
43 by number, letter, or otherwise, correspond to the respective sections,
44 subsections, paragraphs and subparagraphs of this act so numbered or
45 otherwise so designated.

46 (b) The titles or headlines applied to sections in this act are inserted
47 only as a matter of convenience and ease in reference and in no way
48 define, limit or describe the scope or intent of any provision of this act.

49 (c) Figures may be used instead of words, and words may be used

1 instead of figures in all notices, proceedings, and other documents required
2 hereby or otherwise pertaining hereto.

3 (d) Words in the singular number include the plural, and words in the
4 plural include the singular.

5 (e) Where the sense so indicates, words in the masculine gender
6 include the feminine and the neuter and words of the neuter gender refer
7 to any gender.

8 2. This act being necessary to secure and preserve the public health,
9 safety, convenience and general welfare, the rule of strict construction
10 shall have no application hereto, but it shall be liberally construed to effect
11 the purpose and objects for which this act is intended.

12 SEC. 23. Authorization of tax increment area. The governing body,
13 on the behalf and in the name of the city, may at any time designate a
14 tax increment area within the city for the purpose of creating a special
15 account for the payment of bonds or other securities issued to defray
16 the cost of the acquisition, improvement or equipment (or any combina-
17 tion thereof) of a project or projects authorized in the City Bond Law,
18 as from time to time amended, including, without limitation, the condem-
19 nation of property for any such undertaking, as supplemented by the
20 Local Government Securities Law, except as herein otherwise provided.

21 SEC. 24. Initiating procedure. 1. Whenever the governing body is
22 of the opinion that the interest of the city requires any undertaking which
23 is financed hereunder, the governing body, by resolution, shall direct the
24 engineer to prepare:

25 (a) Preliminary plans and a preliminary estimate of the cost of the
26 undertaking, including, without limitation, all estimated financing costs
27 to be capitalized with the proceeds of the city's securities and all other
28 estimated incidental costs relating to the undertaking;

29 (b) A statement of the proposed tax increment area pertaining thereto,
30 the last finalized amount of the assessed valuation of the taxable property
31 in such area, and the amount of taxes (including in such amount the sum
32 of any unpaid taxes, whether or not delinquent) resulting from the last
33 taxation of such property, based upon the records of the county assessor
34 and the county treasurer; and

35 (c) A statement of the estimated amount of the tax proceeds to be
36 credited annually to the tax increment account during the term of the pro-
37 posed securities payable therefrom.

38 2. The resolution shall describe the undertaking in general terms.

39 3. The resolutions shall state:

40 (a) What part or portion of the expense thereof shall be paid with the
41 proceeds of securities issued by the city in anticipation of tax proceeds to
42 be credited to the tax increment account and payable wholly or in part
43 therefrom;

44 (b) How the remaining part or portion of such expenses, if any, is to
45 be financed; and

46 (c) The basic security and any additional security for the payment of
47 securities of the city pertaining to the undertaking.

48 4. The resolution need not describe minutely each particular tract of
49 taxable real property proposed to be included within the tax increment
50 area, but simply designate the tax increment area or its location, so that

1 the various tracts of taxable real property and taxable personal property
2 located thereat can be ascertained and determined to be within or with-
3 out the proposed tax increment area.

4 5. The engineer shall forthwith file with the city clerk such prelim-
5 inary plans, estimate of cost, and statements.

6 6. Upon their filing, the governing body shall examine the same;
7 and if it finds them to be satisfactory, it shall, by resolution, provision-
8 ally order the undertaking.

9 SEC. 25. Provisional order resolution; Notice. 1. In the provisional
10 order resolution the governing body shall set a time at least 20 days
11 thereafter and place when and where any representative of the Federal
12 Government, the state or any public body, or any person resident of the
13 city or owning taxable personal or real property therein, or any repre-
14 sentative of any such person, may appear before the governing body and
15 be heard as to the propriety and advisability of the undertaking.

16 2. Notice shall be given:

- 17 (a) By mail;
18 (b) By posting; and
19 (c) By publication.

20 3. Proof of mailing and posting shall be by affidavit of the engineer,
21 clerk or any deputy mailing or posting, or both mailing and posting, the
22 notice, respectively.

23 4. Proof of publication shall be by affidavit of the publisher.

24 5. The notice shall:

25 (a) Describe the undertaking and the project or projects relating
26 thereto (without mentioning minor details or incidentals);

27 (b) State the preliminary estimate of the cost of the undertaking,
28 including all incidental costs, as stated in the engineer's report filed with
29 the governing body under the next preceding section hereof;

30 (c) Describe the proposed tax increment area pertaining to the under-
31 taking, the last finalized amount of the assessed valuation of the taxable
32 property in such area, and the amount of taxes (including in such amount
33 the sum of any unpaid taxes, whether or not delinquent) resulting from
34 the last taxation of such property, based upon the records of the county
35 assessor and the county treasurer;

36 (d) State what part or portion of the expense of the undertaking shall
37 be paid with the proceeds of securities issued by the city in anticipation
38 of tax proceeds to be credited to the tax increment account and payable
39 wholly or in part therefrom, and state the basic security and any addi-
40 tional security for the payment of securities of the city pertaining to the
41 undertaking;

42 (e) State how the remaining part or portion of such expense, if any, is
43 to be financed;

44 (f) State the estimated amount of the tax proceeds to be credited
45 annually to the tax increment account pertaining to the undertaking dur-
46 ing the term of the proposed securities payable from such tax proceeds,
47 and the estimated amount of any net revenues derived annually from the
48 operation of the project or projects pertaining to the undertaking and
49 pledged for the payment of such securities;

1 (g) State the estimated aggregate principal amount to be borrowed by
2 the issuance of such securities (excluding proceeds thereof to fund or
3 refund outstanding securities), and the estimated total bond requirements
4 of the securities;

5 (h) State whether the governing body finds, determines and declares
6 that the estimated tax proceeds credited to the tax increment account and
7 any such net pledged revenues shall be fully sufficient to pay the bond
8 requirements of such securities as the same become due; and

9 (i) The time and place when and where the governing body will con-
10 sider the ordering of the undertaking and hear all complaints, protests,
11 objections and other relevant comments concerning the same which may
12 be made in writing by any individual or body corporate designated in sub-
13 section 1 of this section and filed with the city clerk at least 3 days prior
14 thereto, or made verbally at the hearing by any individual designated in
15 subsection 1 of this section.

16 6. All proceedings may be modified or rescinded wholly or in part by
17 resolution adopted by the governing body at any time prior to the passage
18 of the ordinance ordering the undertaking and creating the tax increment
19 area and the tax increment account pertaining thereto pursuant to subsec-
20 tion 3 of section 28 hereof.

21 7. No substantial change in the undertaking, the preliminary esti-
22 mates, the proposed tax increment area or other statements relating
23 thereto shall be made after the first publication, posting or mailing of
24 notice to property owners, whichever occurs first, except for the deletion
25 of a portion of the undertaking and property from the proposed tax
26 increment area, unless the governing body after ordering such a change
27 provides for another provisional order hearing on all matters in the
28 premises and for notice of the hearing in the same manner as provided
29 herein for the initial hearing, but a subsequent finalization of the amount
30 of assessed valuation of taxable property in the tax increment area or a
31 subsequent levy of taxes shall not adversely affect proceedings taken
32 hereunder.

33 8. The engineer also shall have the right to make minor changes in
34 and to develop the undertaking as to the time, plans and materials
35 entering into the undertaking at any time before its completion.

36 SEC. 26. Provisional order hearing. 1. At the time and place of
37 the hearing, or at any adjournment thereof, the governing body shall
38 proceed to cause to be read and to consider all written complaints, pro-
39 tests, objections and other relevant comments properly made and so
40 filed with the clerk and to hear all verbal comments relating to the
41 undertaking.

42 2. After the hearing has been concluded, after all written complaints,
43 protests, objections and other relevant comments have been read and duly
44 considered, and after the governing body has heard and considered all
45 verbal comments made by individuals in interest and also has considered
46 any other relevant material put forth, if the governing body shall deter-
47 mine that the undertaking, or a part thereof, is not in the public interest,
48 the governing body by resolution shall make an order to that effect and
49 may modify the proposed tax increment area to conform to such order.
50 Thereupon the undertaking or the part thereof determined against by such

1 order shall stop and shall not be begun again until any adoption of a new
2 resolution.

3 3. Any complaint, protest or objection to the regularity, validity and
4 correctness of the proceedings taken and the instruments made prior to
5 the date of the hearing shall be deemed waived unless presented in writing
6 at the time and in the manner herein specified.

7 SEC. 27. Appeal from adverse order. Any person, public body, the
8 state or the Federal Government filing a written complaint, protest or
9 objection as provided in paragraph (i), subsection 5, section 25 hereof,
10 shall have the right, within 30 days after the governing body has finally
11 passed on such complaint, protest or objection by resolution pursuant to
12 subsection 2 of the next preceding section or by ordinance pursuant to
13 subsection 3 of the next succeeding section, to commence an action or suit
14 in any court of competent jurisdiction to correct or set aside such deter-
15 mination, but thereafter all actions or suits attacking the validity of the
16 proceedings shall be perpetually barred.

17 SEC. 28. Final order of undertaking. 1. After the provisional order
18 hearing and the consideration of all matters in the premises, and in the
19 event of any material changes other than the deletion of a part of the
20 undertaking and any modification of the tax increment area to conform
21 to such modification under subsection 2 of section 26 hereof, after the
22 supplemental provisional order hearing and the consideration of any
23 supplemental matters in the premises, the governing body shall determine
24 whether to proceed hereunder. If it has ordered any modification and
25 desires to proceed, it shall direct the engineer appropriately to modify
26 the plans, estimates and statements filed by him with the clerk under
27 subsection 5 of section 24 hereof.

28 2. The engineer shall appropriately modify the same and shall forth-
29 with file the modified plans, estimates and statements with the clerk.

30 3. When such plans, estimates and statements are prepared, filed with
31 the clerk and are satisfactory to the governing body, it shall, by ordinance,
32 overrule all complaints, protests and objections not otherwise acted upon,
33 unconditionally order the undertaking, as modified, if modified, describe
34 the tax increment area pertaining thereto, and create the tax increment
35 account therefor.

36 4. The ordinance may be introduced and adopted at one meeting by
37 not less than 5 affirmative votes as if an emergency exists and may be
38 effective upon its adoption and publication by title and collateral state-
39 ment or may be introduced and adopted as a regular measure, pursuant
40 to section 2.100, city charter, except as otherwise provided in this sub-
41 section.

42 SEC. 29. Allocation, division and disposition of tax proceeds. After
43 the effective date of such ordinance unconditionally ordering the under-
44 taking and providing for tax increment financing, any taxes levied upon
45 taxable property in the tax increment area each year by or for the bene-
46 fit of the state, the city and any public body shall be divided as follows:

47 1. That portion of the taxes which would be produced by the rate
48 upon which the tax is levied each year by or for each of such taxing
49 agencies upon the total sum of the assessed value of the taxable prop-
50 erty in the tax increment area as shown upon the assessment roll used

1 in connection with the taxation of such property by such taxing agency,
2 last equalized prior to the effective date of such ordinance, shall be allo-
3 cated to and when collected shall be paid into the funds of the respec-
4 tive taxing agencies as taxes by or for such taxing agencies as taxes on
5 all other property are paid.

6 2. That portion of such levied taxes each year in excess of such
7 amount shall be allocated to and when collected shall be paid into the tax
8 increment account pertaining to the undertaking to pay the bond require-
9 ments of loans, moneys advanced to, or indebtedness, whether funded,
10 refunded, assumed, or otherwise, incurred by the city to finance or refi-
11 nance, in whole or in part, such undertaking. Unless and until the total
12 assessed valuation of the taxable property in the tax increment area
13 exceeds the total assessed value of the taxable property in such area as
14 shown by the last equalized assessment roll referred to in subsection one,
15 all of the taxes levied and collected upon the taxable property in such area
16 shall be paid into the funds of the respective taxing agencies. When such
17 loans, advances and indebtedness, if any, and interest thereon, have been
18 paid, all moneys thereafter received from taxes upon the taxable property
19 in such area shall be paid into the funds of the respective taxing agencies
20 as taxes on all other property are paid.

21 SEC. 30. Municipal securities. 1. The city may issue, to defray
22 wholly or in part the cost of the undertaking, the following securities:

- 23 (a) Notes;
- 24 (b) Warrants;
- 25 (c) Interim debentures;
- 26 (d) Bonds; and
- 27 (e) Temporary bonds.

28 2. Such securities may be payable from:

- 29 (a) Tax proceeds accounted for in the tax increment account, and at
30 the city's option;
- 31 (b) Net revenues derived from the operation of the project or projects
32 acquired, improved or equipped (or any combination thereof) under
33 the undertaking and pledged for the payment of the securities, and also
34 at the city's option; or
- 35 (c) Taxes levied by the city for the payment of the bond requirements
36 of the securities.

37 3. Any securities payable only in the manner provided in either
38 paragraph (a) of the next preceding subsection or both paragraph (a)
39 and (b) of such subsection shall be special obligations of the city, shall
40 not in their issuance be subject to the debt limitation in subsection 1, sec-
41 tion 7.010, city charter, or otherwise imposed by law, nor, while they are
42 outstanding, exhaust the city's debt incurring power thereunder, and may
43 be issued under the provisions of the Local Government Securities Law,
44 except as otherwise provided herein, without any compliance with the
45 provisions of NRS 350.001 to 350.006, inclusive, or NRS 350.010 to
46 350.070, inclusive, and without any approval or other preliminaries,
47 except as provided in the Local Government Securities Law.

48 4. Any securities payable from taxes in the manner provided in para-
49 graph (c) of subsection 2 of this section, regardless of whether they are

1 also payable in the manner provided only in paragraph (a) of such sub-
2 section or in both paragraphs (a) and (b) of such subsection, shall be
3 general obligations of the city, shall in their issuance be subject to such
4 debt limitation and, while they are outstanding, shall exhaust the city's
5 debt incurring power thereunder, and may be issued under the provisions
6 of the Local Government Securities Law only after the issuance of city
7 bonds is approved under the provisions of:

8 (a) NRS 350.001 to 350.006, inclusive; and

9 (b) NRS 350.010 to 350.070, inclusive,

10 except for the issuance of notes or warrants under the Local Government
11 Securities Law which are payable out of the current year's revenues and
12 are not to be funded with the proceeds of interim debentures or bonds in
13 the absence of such bond approval under the two acts designated in para-
14 graphs (a) and (b) of this subsection.

15 5. In the proceedings for the advance of moneys, or making of loans,
16 or the incurring of any indebtedness, whether funded, refunded, assumed
17 or otherwise, by the city to finance or refinance, in whole or in part, the
18 undertaking, wholly or in part, the portion of taxes mentioned in subsec-
19 tion 2 of the next preceding section shall be irrevocably pledged for the
20 payment of the bond requirements of such loans, advances or indebted-
21 ness. The provisions in the Local Government Securities Law pertaining
22 to net pledged revenues are applicable to such pledge to secure the pay-
23 ment of such tax increment bonds.

24 SEC. 31. Cooperative powers. The city shall also have the following
25 powers:

26 1. To accept contributions or loans from the Federal Government,
27 the state or any public body (or any combination thereof) for the purpose
28 of financing the planning, acquisition, improvement, equipment, mainte-
29 nance and operation of any enterprise pertaining to an undertaking in
30 which the city is authorized to engage, and to enter into contracts and
31 cooperate with, and accept cooperation from, the Federal Government,
32 the state or any public body (or any combination thereof) in the planning,
33 acquisition, improvement, equipment, maintenance and operation, and in
34 financing the planning, acquisition, improvement, equipment, maintenance
35 and operation of any such enterprise in accordance with any legislation
36 which Congress, the state legislature or any governing body of any public
37 body (or any combination thereof) may have heretofore adopted or may
38 hereafter adopt, under which aid, assistance and cooperation may be fur-
39 nished by the Federal Government, the state or public body (or any com-
40 bination thereof) in the planning, acquisition, improvement, equipment,
41 maintenance and operation or in financing the planning, acquisition,
42 improvement, equipment, maintenance and operation of any such enter-
43 prise, including, without limitation, costs of engineering, architectural, and
44 economic investigations and studies, surveys, designs, plans, working
45 drawings, specifications, procedures and other action preliminary to the
46 acquisition, improvement or equipment of any project, and to do any and
47 all things necessary in order to avail itself of such aid, assistance and
48 cooperation under any federal or state legislation now or hereafter
49 enacted.

1 2. To enter, without any election, into joint operating or service con-
2 tracts and agreements, acquisition, improvement, equipment or disposal
3 contracts or other arrangements, for any term not exceeding 50 years,
4 with the Federal Government, the state and any public body (or any
5 combination thereof), concerning the undertaking, and any project or
6 property pertaining thereto, whether acquired by the city, by the Federal
7 Government, by the state or by any public body, and to accept grants
8 and contributions from the Federal Government, the state, any public
9 body or any person (or any combination thereof) in connection there-
10 with.

11 3. To enter into and perform, without any election, when determined
12 by the governing body of the city to be in the public interest, contracts
13 and agreements, for any term not exceeding 50 years, with the Federal
14 Government, the state, any public body or any person (or any combina-
15 tion thereof) for the provision and operation by the city of any facilities
16 whether or not pertaining to the undertaking of the city or any project
17 relating thereto and the payment periodically thereby to the city of
18 amounts at least sufficient, if any, in the determination of the governing
19 body, to compensate the city for the cost of providing, operating and
20 maintaining such facilities serving the Federal Government, the state,
21 such public body or such person, or otherwise.

22 4. To enter into and perform, without any election, contracts and
23 agreements with the Federal Government, the state, any public body or
24 any person (or combination thereof) for or concerning the planning, con-
25 struction, lease or other acquisition, improvement, equipment, operation,
26 maintenance, disposal and the financing of any property pertaining to the
27 facilities of the city or to any undertaking or any project of the city, or
28 otherwise, including, without limitation, any contract or agreement for any
29 term not exceeding 50 years.

30 5. To cooperate with and act in conjunction with the Federal Gov-
31 ernment, or any of its engineers, officers, boards, commissions or depart-
32 ments, or with the state, or any of its engineers, officers, boards,
33 commissions or departments, or with any public body or any person in the
34 acquisition, improvement or equipment of any facilities or any project
35 authorized for the city or for any other works, acts or purposes provided
36 for herein, and to adopt and carry out any definite plan or system of work
37 for any such purpose.

38 6. To cooperate with the Federal Government, the state or any pub-
39 lic body (or any combination thereof) by an agreement therewith by
40 which the district may:

41 (a) Acquire and provide, without cost to the cooperating entity, the
42 land, easements and rights-of-way necessary for the acquisition, improve-
43 ment or equipment (or any combination thereof) of any properties per-
44 taining to the undertaking or any other facilities;

45 (b) Hold and save harmless the cooperating entity free from any claim
46 for damages arising from the acquisition, improvement, equipment, main-
47 tenance and operation (or any combination thereof) of any facilities;

48 (c) Maintain and operate any facilities in accordance with regulations
49 prescribed by the cooperating entity; and

1 (d) Establish and enforce regulations, if any, concerning the facilities
2 and satisfactory to the cooperating entity.

3 7. To provide, by any contract for any term not exceeding 50 years,
4 or otherwise, without an election:

5 (a) For the joint use of personnel, equipment and facilities of the city,
6 the Federal Government, the state and any public body (or any com-
7 bination thereof), including, without limitation, public buildings con-
8 structed by or under the supervision of the governing body of the city
9 or the other party or parties to the contract concerned, upon such terms
10 and agreements and within such areas within the city as may be deter-
11 mined, for the promotion and protection of health, comfort, safety, life,
12 welfare and property of the inhabitants of the city, the Federal Govern-
13 ment, the state, any such public body and any persons of interest, as the
14 case may be; and

15 (b) For the joint employment of clerks, stenographers and other
16 employees pertaining to the facilities, any project or the undertaking, now
17 existing or hereafter established in the city, upon such terms and condi-
18 tions as may be determined for the equitable apportionment of the
19 expenses therefrom resulting.

20 8. In connection with any facilities of the city or any part of the facil-
21 ities, acquired or proposed in connection with an undertaking, or with any
22 project, to consult with any regulatory or other agency of the Federal
23 Government, the state or any public body and to submit plans, specifica-
24 tions or other instruments or documents (or any combination thereof) to
25 each such governmental agency for its review, recommendations and other
26 comments.

27 SEC. 32. Public purpose. The exercise of any power herein author-
28 ized by the governing body of the city upon its behalf has been deter-
29 mined, and is hereby declared, to effect a public purpose; and any
30 undertaking herein authorized shall effect a public purpose.

31 SEC. 33. Sufficiency of act. 1. This act, without reference to other
32 statutes of the state, except as herein otherwise expressly provided, shall
33 constitute full authority for the exercise of powers herein granted.

34 2. No other act or law with regard to the exercise of any power herein
35 granted that provides for an election, requires an approval, or in any way
36 impedes or restricts the carrying out of the acts herein authorized to be
37 done shall be construed as applying to any proceedings taken hereunder
38 or acts done pursuant hereto, except as herein provided.

39 3. The powers conferred by this act shall be in addition and supple-
40 mental to, and not in substitution for, and the limitations imposed by this
41 act shall not affect the powers conferred by, any other law.

42 4. No part of this act shall repeal or affect any other law or part
43 thereof, it being intended that this act shall provide a separate method of
44 accomplishing its objectives and not an exclusive one; and this act shall
45 not be construed as repealing, amending or changing any such other law.

46 SEC. 34. Severability. If any provision of this act or the application
47 thereof to any person, thing or circumstance is held invalid, such invalidity
48 shall not affect other provisions or applications of this act that can be

1 given effect without the invalid provision or application, and to this end
2 the provisions of this act are declared to be severable.
3 SEC. 35. Effective date. This act shall become effective 7 days after
4 its passage and approval.

S. B. 364

SENATE BILL NO. 364—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 20, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends County Economic Development Revenue Bond Law to promote furnishing of water if available on reasonable demand to members of public and amends and adds to manner of financing all projects authorized. Fiscal Note: No. (BDR 20-1317)



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

AN ACT relating to the County Economic Development Revenue Bond Law; expanding the definition of "project" to promote the furnishing of water if available on reasonable demand to members of the public; authorizing counties to finance, acquire, own, lease or sell certain water projects; amending and adding definitions of certain words and terms applicable to all projects as defined in the County Economic Development Revenue Bond Law; specifying other county powers applicable to all such projects; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this act.
3 SEC. 2. "*Finance*" or "*financing*" includes the issue of bonds by a
4 county for the purpose of using substantially all of the proceeds to pay (or
5 to reimburse the obligor or its designee) for the costs of acquiring, improv-
6 ing and equipping a project, whether these costs are incurred by the
7 county, the obligor or a designee of the obligor. Title to or in such project
8 may at all times remain in the obligor or the obligor's designee or assignee
9 and, in such case, the bonds of the county shall be secured by a pledge of
10 one or more notes, debentures, bonds or other secured or unsecured debt
11 obligations of the obligor.
12 SEC. 3. "*Financing agreement*" means an agreement pursuant to
13 which the county agrees to issue bonds pursuant to NRS 244.9191 to
14 244.9219, inclusive, to finance one or more projects and pursuant
15 to which the obligor agrees to:
16 1. Make payments (directly or through notes, debentures, bonds or
17 other secured or unsecured debt obligations of the obligor executed and
18 delivered by the obligor to the county or the county's designee or assignee,

1 including a trustee, pursuant to such financing agreement) sufficient to pay
2 the principal of, premium, if any, and interest on the bonds;

3 2. Pay other amounts required by NRS 244.9191 to 244.9219, inclu-
4 sive; and

5 3. Comply with all other applicable provisions of NRS 244.9191 to
6 244.9219, inclusive.

7 SEC. 4. "Obligor" means the individual, partnership, firm, company,
8 corporation (including a public utility), association, trust, estate, political
9 subdivision, state agency or any other legal entity, or its legal representa-
10 tive, agent or assigns, who agrees to make the payments required by the
11 financing agreement.

12 SEC. 5. "Revenues" of a project, or derived from a project, include
13 payments under a lease, agreement of sale or financing agreement, or
14 under notes, debentures, bonds and other secured or unsecured debt
15 obligations of an obligor executed and delivered by the obligor to the
16 county or the county's designee or assignee (including a trustee) pursuant
17 to such lease, agreement of sale or financing agreement.

18 SEC. 6. NRS 244.9191 is hereby amended to read as follows:
19 244.9191 NRS 244.9191 to 244.9219, inclusive, and sections 2 to
20 5, inclusive, of this act may be cited as the County Economic Develop-
21 ment Revenue Bond Law.

22 SEC. 7. NRS 244.9192 is hereby amended to read as follows:
23 244.9192 Whenever used in NRS 244.9191 to 244.9219, inclusive,
24 unless a different meaning clearly appears from the context, the following
25 words and terms defined in NRS 244.9193 to 244.9196, inclusive, and
26 sections 2 to 5, inclusive, of this act, have the meanings ascribed to them
27 in [NRS 244.9193 to 244.9196, inclusive.] such sections.

28 SEC. 8. NRS 244.9196 is hereby amended to read as follows:
29 244.9196 "Project" means:

30 1. Any land, building or other improvement and all real and personal
31 properties necessary in connection therewith, whether or not in existence,
32 suitable for *commercial*, manufacturing, industrial, [or] research and
33 development enterprises [.] or for residential real and personal property.

34 2. Any land, building, structure, facility, system, fixture, improve-
35 ment, appurtenance, machinery, equipment, or any combination thereof
36 or any interest therein, used by any individual, partnership, firm, com-
37 pany, corporation (including a public utility), association, trust, estate,
38 political subdivision, state agency or any other legal entity, or its legal rep-
39 resentative, agent or assigns: [., for]

40 (a) For the reduction, abatement or prevention of pollution or for the
41 removal or treatment of any substance in a processed material which
42 otherwise would cause pollution when such material is used.

43 (b) In connection with furnishing of water if available on reasonable
44 demand to members of the general public.

45 SEC. 9. NRS 244.9197 is hereby amended to read as follows:

46 244.9197 1. It is the intent of the legislature to authorize counties
47 to finance, acquire, own, lease, improve and dispose of properties to the
48 end that such counties may be able to promote industry and develop
49 trade by inducing manufacturing, industrial and research and develop-
50 ment enterprises to locate in or remain in this state, in order to assist in

1 relieving the serious threat of extensive unemployment in parts of this
2 state, in securing and maintaining a balanced and stable economy in all
3 parts of this state and in furthering the use of its agricultural products
4 and natural resources. It is, therefore, the intention of the legislature to
5 vest such counties with all powers that may be necessary to enable them
6 to accomplish such purposes, which powers shall in all respects be exer-
7 cised for the benefit of the inhabitants of this state for the promotion of
8 their safety, welfare, convenience and prosperity.

9 2. It is also the intent of the legislature to authorize counties to
10 finance, acquire, own, lease or sell projects or interests therein for the
11 purpose of: ~~reducing,~~

12 (a) *Reducing*, abating or preventing pollution or removing or treating
13 any substance in processed material which otherwise would cause pollu-
14 tion when such material is used, to protect and promote the health, wel-
15 fare and safety of the citizens of this state and to retain and promote
16 private industry and commerce with the resultant higher level of employ-
17 ment and economic activity and stability.

18 (b) *Promoting the furnishing of water if available on reasonable demand*
19 *to members of the general public in order to protect and promote the*
20 *health, welfare and safety of the citizens of this state and to retain and*
21 *promote private industry and commerce with the resultant higher level of*
22 *employment and economic activity and stability.*

23 3. It is not intended hereby that any county shall itself be authorized
24 to operate any such manufacturing, industrial or research and develop-
25 ment enterprise.

26 4. No county may by virtue of NRS 244.9191 to 244.9219, inclu-
27 sive, assist any manufacturing, industrial or research and development
28 enterprise to locate in the county which would offer substantial competi-
29 tion to an existing enterprise within the county whose intrastate markets
30 are substantially the same.

31 5. NRS 244.9191 to 244.9219, inclusive, shall be liberally construed
32 in conformity with this declaration of purpose.

33 Sec. 10. NRS 244.9198 is hereby amended to read as follows:

34 244.9198 In addition to any other powers which it may now have,
35 each county shall have the following powers:

36 1. ~~To acquire, whether by construction, purchase, gift, devise, lease~~
37 ~~or sublease, to improve and equip, and to sell or otherwise dispose of,~~
38 ~~one or more projects or part thereof. The power to sell includes the~~
39 ~~power to receive the note or notes of the purchaser. Such projects, upon~~
40 ~~completion of such acquisition, shall be located within the county.~~

41 2. ~~To lease or to sell to others any or all of its projects for such~~
42 ~~rentals or installment payments and upon such terms and conditions as~~
43 ~~the board considers advisable.~~ *To finance or acquire, whether by con-*
44 *struction, purchase, gift, devise, lease or sublease or any one or more of*
45 *such methods, and to improve and equip one or more projects or parts*
46 *thereof, which shall be located within this state, and which may be located*
47 *within or partially within such county.*

48 2. *To finance, sell, lease or otherwise dispose of any or all its projects*
49 *upon such terms and conditions as the board considers advisable.*

1 3. To issue revenue bonds for the purpose of *financing or defraying*
 2 the cost of acquiring, improving and equipping any project [including the
 3 payment of principal and interest on such bonds for not exceeding 3 years
 4 and all other incidental expenses incurred in issuing such bonds.] *as set*
 5 *forth in NRS 244.9213.*

6 4. To secure payment of such bonds as provided in NRS 244.9191 to
 7 244.9219, inclusive.

8 5. *To take such actions as are necessary or useful in order to under-*
 9 *take, carry out, accomplish and otherwise implement the provisions of*
 10 *NRS 244.9191 to 244.9219, inclusive, including the adoption of resolu-*
 11 *tions, which may be introduced and adopted at the same special or regular*
 12 *meeting of the board and which shall become effective upon adoption.*

13 SEC. 11. NRS 244.920 is hereby amended to read as follows:

14 244.920 After holding a public hearing or hearings, as provided in
 15 NRS 244.9199, the board of county commissioners shall proceed no fur-
 16 ther unless or until *by resolution* it:

17 1. Determines the total amount of money necessary to be provided by
 18 the county for the acquisition, improvement and equipment of the project;

19 2. Determines that the contemplated lessee [or purchaser], *pur-*
 20 *chaser or other obligor* has sufficient financial resources to place the
 21 project in operation and to continue its operation, meeting the obligations
 22 of the lease [or purchase contract], *purchase contract or financing*
 23 *agreement;*

24 3. Determines, in the case of a project as defined in subsection 1 of
 25 NRS 244.9196, that the revenue which can reasonably be expected to
 26 be derived from normal operation of the project under normal economic
 27 conditions is sufficient with a suitable margin of safety to meet the obli-
 28 gations of a lease [or purchase contract], *purchase contract or financing*
 29 *agreement* which in turn will meet in full the debt service requirements
 30 of a bond issue to provide the amount of money determined pursuant to
 31 subsection 1; and

32 4. If any part of the project or improvements is to be constructed
 33 by a lessee or a lessee's designee or a purchaser or a purchaser's designee
 34 [.] *or an obligor or an obligor's designee*, provides, *or determines that*
 35 *there are provided*, sufficient safeguards to assure that all money provided
 36 by the county will be expended solely for the purposes of the project.

37 SEC. 12. NRS 244.9201 is hereby amended to read as follows:

38 244.9201 1. All bonds issued by a county under the authority of
 39 NRS 244.9191 to 244.9219, inclusive, shall be special, limited obligations
 40 of the county. The principal of and interest on such bonds shall be pay-
 41 able, subject to the [mortgage] *security* provisions herein, solely out of
 42 the revenues derived from the *financing*, leasing or sale of the project to
 43 be financed by the bonds.

44 2. The bonds and interest coupons, if any, appurtenant thereto shall
 45 never constitute the debt or indebtedness of the county within the mean-
 46 ing of any provision or limitation of the constitution of the State of
 47 Nevada or statutes, and shall not constitute nor give rise to a pecuniary
 48 liability of the county or a charge against its general credit or taxing
 49 powers. Such limitation shall be plainly stated on the face of each such
 50 bond.

1 SEC. 13. NRS 244.9202 is hereby amended to read as follows:

2 244.9202 1. The bonds shall:

3 (a) Be authorized by ~~["ordinance;"]~~ *resolution*;

4 (b) Be in such denominations;

5 (c) Bear such date or dates;

6 (d) Mature at such time or times not exceeding 40 years from their
7 respective dates;

8 (e) Bear such interest at a rate or rates not exceeding ~~["8"]~~ 12 percent
9 per annum;

10 (f) Be in such form;

11 (g) Carry such registration privileges;

12 (h) Be executed in such manner ~~[";"]~~, *including the use of one or more*
13 *facsimile signatures so long as at least one manual signature appears on*
14 *the bonds, which manual signature may be either an official of the county*
15 *or an officer of the trustee authenticating the same;*

16 (i) Be payable at such place or places within or without the state; and

17 (j) Be subject to such terms of redemption,

18 as the authorizing ~~["ordinance"]~~ *resolution* may provide.

19 2. The bonds may be sold in one or more series at par, or below or
20 above par, in such manner and for such price or prices as the county, in its
21 discretion, shall determine. As an incidental expense of the project, the
22 county, in its discretion, may employ financial and legal consultants in
23 regard to the financing of the project.

24 3. The county may exchange all or a part of its bonds for all or an
25 equivalent part of the project for which the bonds are issued, the exchange
26 to be preceded by determination of the fair value of the project or part
27 of the project exchanged for the bonds. Such determination shall be by
28 ordinance and shall be conclusive.

29 4. The bonds shall be fully negotiable under the terms of the Uniform
30 Commercial Code—Investment Securities.

31 SEC. 14. NRS 244.9203 is hereby amended to read as follows:

32 244.9203 The principal of, the interest on and any prior redemption
33 premiums due in connection with the bonds shall be payable from, secured
34 by a pledge of and constitute a lien on the revenues out of which such
35 bonds shall be made payable. In addition, they may, in the discretion of
36 the county, be secured by a mortgage covering all or any part of the project
37 or by a pledge of the lease ~~["or"]~~, the agreement of sale ~~["of"]~~ *or the*
38 *financing agreement with respect to such project, or both. In addition,*
39 *they may, in the discretion of the county, be secured by a pledge of one or*
40 *more notes, debentures, bonds or other secured or unsecured debt obliga-*
41 *tions of the obligor.*

42 SEC. 15. NRS 244.9204 is hereby amended to read as follows:

43 244.9204 The ~~["proceedings"]~~ *resolution* under which the bonds are
44 authorized to be issued, and any *indenture* or mortgage given to secure
45 the same, may contain any provisions customarily contained in instru-
46 ments securing bonds and constituting a covenant with the bondholders.
47 including, but not limited to:

48 1. Custody of the proceeds from the sale of the bonds, including
49 their investment and reinvestment until used to *finance* or defray the cost
50 of the project.

1 2. The fixing and collection of [rents or installment] payments
2 [for] , with respect to the project [.] to be made under the lease, the
3 agreement of sale or the financing statement.

4 3. The terms to be incorporated in the lease [or] , the agreement
5 of sale [of] or the financing agreement with respect to the project.

6 4. The maintenance and insurance of the project.

7 5. The creation of funds and accounts into which any bond pro-
8 ceeds, revenues and income may be deposited or credited.

9 6. Limitation on the purpose to which the proceeds of any bonds
10 then or thereafter to be issued may be applied.

11 7. Limitations on the issuance of additional bonds, the terms upon
12 which additional bonds may be issued and secured, the refunding of bonds
13 and the replacement of bonds.

14 8. The procedure, if any, by which the terms of any contract with
15 bondholders may be amended or abrogated.

16 9. Vesting in a trustee or trustees located within or without this state
17 such properties, rights, powers and duties in trust as the board may deter-
18 mine, and limiting the rights, duties and powers of such trustees.

19 10. The rights and remedies available in case of a default to the bond-
20 holders or to any trustee under the lease, agreement of sale, financing
21 agreement, indenture or a mortgage.

22 SEC. 16. NRS 244.9205 is hereby amended to read as follows:

23 244.9205 1. The county may provide that proceeds from the sale of
24 bonds and special funds from the revenues of the project shall be invested
25 and reinvested in such securities and other investments, whether or not
26 any such investment or reinvestment is authorized under any other law of
27 this state, as may be provided in the proceedings under which the bonds
28 are authorized to be issued, including but not limited to:

29 (a) Bonds or other obligations of the United States of America.

30 (b) Bonds or other obligations, the payment of the principal and inter-
31 est of which is unconditionally guaranteed by the United States of
32 America.

33 (c) Obligations issued or guaranteed as to principal and interest by
34 any agency or person controlled or supervised by and acting as an instru-
35 mentality of the United States of America pursuant to authority granted
36 by the Congress of the United States of America.

37 (d) Obligations issued or guaranteed by any state of the United States
38 of America, or any political subdivision of any such state.

39 (e) Prime commercial paper.

40 (f) Prime finance company paper.

41 (g) Bankers' acceptances drawn on and accepted by commercial
42 banks.

43 (h) Repurchase agreements fully secured by obligations issued or
44 guaranteed as to principal and interest by the United States of America
45 or by any person controlled or supervised by and acting as an instru-
46 mentality of the United States of America pursuant to authority granted
47 by the Congress of the United States of America.

48 (i) Certificates of deposit issued by commercial banks [.] , including
49 banks domiciled outside of the United States of America.

1 2. The county may also provide that such proceeds or funds or
 2 investments and the [rents] payments payable under the lease, [or the
 3 installment payments payable pursuant to] the agreement of sale or the
 4 financing agreement shall be received, held and disbursed by one or more
 5 banks or trust companies located within or out of this state.

6 SEC. 17. NRS 244.9206 is hereby amended to read as follows:

7 244.9206 The county may also provide that:

8 1. The project and improvements to be constructed, if any, shall be
 9 constructed by the county, lessee or the lessee's designee, purchaser or
 10 purchaser's designee, obligor or obligor's designee, or any one or more of
 11 them, on real estate owned by the county, the lessee or the lessee's desig-
 12 nee, or the purchaser or the purchaser's designee, or the obligor or the
 13 obligor's designee, as the case may be.

14 2. The bond proceeds shall be disbursed by the trustee bank or banks,
 15 trust company or trust companies, during construction upon the estimate,
 16 order or certificate of the lessee or the lessee's designee, or of the pur-
 17 chaser or the purchaser's designee [.] , or of the obligor or the obligor's
 18 designee.

19 SEC. 18. NRS 244.9208 is hereby amended to read as follows:

20 244.9208 1. The [proceedings] resolution authorizing any bonds or
 21 any indenture or mortgage securing such bonds may provide that if there
 22 is a default in the payment of the principal of, the interest on, or any prior
 23 redemption premiums due in connection with the bonds or in the perform-
 24 ance of any agreement contained in such [proceedings] resolution, inden-
 25 ture or mortgage, the payment and performance may be enforced by
 26 mandamus or by the appointment of a receiver with power to charge [and
 27 collect rents and to apply the revenues from the project in accordance
 28 with the proceedings or the provisions of the mortgage.] , collect and
 29 apply the revenues from the project in accordance with the resolution or
 30 the provisions of the indenture or mortgage.

31 2. Any mortgage to secure bonds issued thereunder, may also provide
 32 that if there is a default in the payment thereof or a violation of any
 33 agreement contained in the mortgage, it may be foreclosed and there may
 34 be a sale in any manner permitted by law. Such mortgage may also pro-
 35 vide that any trustee under such mortgage or the holder of any bonds
 36 secured thereby may become the purchaser at any foreclosure sale if he is
 37 the highest bidder and may apply toward the purchase price unpaid bonds
 38 at the face value thereof.

39 SEC. 19. NRS 244.9209 is hereby amended to read as follows:

40 244.9209 1. Prior to the initial leasing [or sale] , sale or financing
 41 of any project, the board shall by resolution determine:

42 (a) The amount necessary in each year to pay the principal of and the
 43 interest on the first bonds proposed to be issued to finance such project
 44 and on any subsequent issues of bonds which may be permitted under
 45 the lease [or sale] , sale or financing and authorizing [proceedings]
 46 resolutions pertinent to financings hereunder.

47 (b) The amount necessary to be paid each year into any reserve funds
 48 which the board may deem advisable to establish in connection with the
 49 retirement of the proposed bonds and the maintenance of the project.

50 (c) The estimated cost of maintaining the project in good repair and

1 keeping it properly insured, unless the terms under which the project is
 2 to be leased ~~or sold~~, *sold or financed* provide that the lessee ~~or~~
 3 purchaser], *purchaser or obligor* shall maintain the project and carry all
 4 proper insurance with respect thereto.

5 2. The determination and findings of the board, required to be made
 6 by subsection 1, shall be set forth in the ~~proceedings~~ *resolution* under
 7 which the proposed bonds are to be issued, but the foregoing amounts
 8 need not be expressed in dollars and cents in the lease ~~or the agreement~~
 9 of sale and proceedings], *agreement of sale or financing agreement and*
 10 *the resolution* under which the bonds are authorized to be issued, but
 11 may be set forth in the form of a formula or formulas.

12 SEC. 20. NRS 244.921 is hereby amended to read as follows:

13 244.921 Prior to the issuance of any bonds authorized by NRS
 14 244.9191 to 244.9219, inclusive, the county shall lease ~~or sell the~~
 15 project to a lessee or purchaser], *sell or finance the project* under an
 16 agreement conditioned upon completion of the project and providing for
 17 payment to the county of such ~~rentals or installment payments~~ *revenue*
 18 *as*, upon the basis of such determinations and findings, will be suf-
 19 ficient to:

20 1. Pay the principal of and interest on the bonds issued to finance
 21 the project.

22 2. Build up and maintain any reserves deemed advisable by the
 23 board in connection therewith.

24 3. Pay the costs of maintaining the project in good repair and keeping
 25 it properly insured, unless the ~~agreement of lease or sale obligates the~~
 26 lessee or purchaser] *lease, agreement of sale or financing agreement obli-*
 27 *gates the lessee, purchaser or obligor* to pay for the maintenance and
 28 insurance on the project.

29 SEC. 21. NRS 244.9212 is hereby amended to read as follows:

30 244.9212 1. Any bonds issued under the provisions of NRS 244.-
 31 9191 to 244.9219, inclusive, and at any time outstanding may at any time
 32 and from time to time be refunded by a county by the issuance of its
 33 refunding bonds in such amount as the board may deem necessary to
 34 refund the principal of the bonds to be so refunded, any unpaid interest
 35 thereon and any premiums and incidental expenses necessary to be paid
 36 in connection therewith.

37 2. Any such refunding may be effected, whether the bonds to be
 38 refunded have matured or thereafter mature, either by sale of the refund-
 39 ing bonds and the application of the proceeds thereof, directly or indi-
 40 rectly, to the payment of the bonds to be refunded thereby, or by exchange
 41 of the refunding bonds for the bonds to be refunded thereby, but the
 42 holders of any bonds to be so refunded shall not be compelled, without
 43 their consent, to surrender their bonds for payment or exchange prior to
 44 the date on which they are payable by maturity date, option to redeem
 45 or otherwise, or if they are called for redemption, prior to the date on which
 46 they are by their terms subject to redemption by option or otherwise.
 47 ~~Except to the extent expressly or impliedly inconsistent with the terms~~
 48 of NRS 244.9191 to 244.9219, inclusive, the provisions of the Local
 49 Government Securities Law shall govern the issuance of such refunding
 50 bonds and the establishment of any escrow in connection therewith.]

1 3. All refunding bonds, issued under authority of this section, shall
 2 be payable solely from revenues out of which the bonds to be refunded
 3 thereby are payable or from revenues out of which bonds of the same
 4 character may be made payable under this or any other law then in effect
 5 at the time of the refunding.

6 SEC. 22. NRS 244.9213 is hereby amended to read as follows:

7 244.9213 1. The proceeds from the sale of any bonds shall be
 8 applied only for the purpose for which the bonds were issued and if, for
 9 any reason, any portion of such proceeds is not needed for the purpose
 10 for which the bonds were issued, such unneeded portion of such proceeds
 11 shall be applied to the payment of the principal of or the interest on
 12 the bonds.

13 2. The cost of acquiring, *improving and equipping* any project shall
 14 be deemed to include the actual cost of ~~[(.)]~~ *acquiring and improving* a
 15 site or the cost of the construction of any part of a project which may
 16 have been constructed, plus the total of all reasonable or necessary costs
 17 incidental to the acquisition, construction, reconstruction, repair, alter-
 18 ation, improvement, *equipment* and extension of any project including
 19 without limitation:

- 20 (a) The cost of studies and surveys;
- 21 (b) Plans, specifications, architectural and engineering costs;
- 22 (c) Legal, organization, marketing or other special services;
- 23 (d) Financing, acquisition, demolition, construction, equipment and
 24 site development of new and rehabilitated buildings;
- 25 (e) Rehabilitation, reconstruction, repair or remodeling of existing
 26 buildings;
- 27 (f) *Acquisition, installation, construction, reconstruction, repair, alter-*
 28 *ation and improvement of fixtures, machinery, equipment and furnish-*
 29 *ings;*
- 30 (g) An initial bond and interest reserve together with interest on bonds
 31 issued to finance such projects to a date 6 months subsequent to the
 32 estimated date of completion; and

33 ~~[(g)]~~ (h) All other necessary and incidental expenses.

34 SEC. 23. NRS 244.9214 is hereby amended to read as follows:

35 244.9214 1. No county shall have the power to pay out of its gen-
 36 eral fund or otherwise contribute any part of the costs of acquiring,
 37 *improving and equipping* a project and shall not have the power to use
 38 land already owned by the county, or in which the county has an equity
 39 (unless specifically acquired for uses of the character herein described
 40 or unless the land is determined by the board no longer to be necessary
 41 for other county purposes), for the construction thereon of a project or
 42 any part thereof.

43 2. The entire cost of acquiring, *improving and equipping* any project
 44 must be paid out of the proceeds from the sale of the bonds, but this pro-
 45 vision shall not be construed to prevent a county from accepting donations
 46 of property to be used as a part of any project or money to be used for
 47 defraying any part of the cost of any project ~~[(.)]~~, *including the comple-*
 48 *tion of the project by the lessee, purchaser or obligor without any cost or*
 49 *liability to the county.*

1 SEC. 24. NRS 244.9216 is hereby amended to read as follows:

2 244.9216 Pursuant to NRS 361.060, all property owned by a county
3 pursuant to NRS 244.9191 to 244.9219, inclusive, shall be and remain
4 exempt from taxation. The lessee or purchaser shall pay all taxes assessed
5 to him pursuant to NRS 361.157 and 361.159 [.] , and any obligor
6 shall pay all taxes assessed to him in the same manner as any other tax-
7 payer.

8 SEC. 25. NRS 244.9218 is hereby amended to read as follows:

9 244.9218 No action may be brought questioning the legality of any
10 contract, lease, agreement of sale, *financing agreement*, *indenture*, mort-
11 gage, *resolution* proceedings or bonds executed, *adopted or taken* in con-
12 nection with any project or improvements authorized by NRS 244.9191
13 to 244.9219, inclusive, from and after 30 days from the effective date of
14 the [Ordinance] *resolution* authorizing the issuance of such bonds.

15 SEC. 26. NRS 244.9219 is hereby amended to read as follows:

16 244.9219 1. NRS 244.9191 to 244.9219, inclusive, without refer-
17 ence to other statutes of the state, shall constitute full authority for the
18 exercise of powers granted in NRS 244.9191 to 244.9219, inclusive,
19 including but not limited to the authorization and issuance of bonds
20 hereunder.

21 2. No other act or law with regard to the authorization or issuance
22 of bonds that provides for an election, requires an approval, or in any
23 way impedes or restricts the carrying out of the acts authorized in NRS
24 244.9191 to 244.9219, inclusive, to be done, shall be construed as
25 applying to any proceedings taken under NRS 244.9191 to 244.9219,
26 inclusive, or acts done pursuant to NRS 244.9191 to 244.9219, inclusive,
27 except for laws to which reference is expressly made in NRS 244.9191
28 to 244.9219, inclusive, or by necessary implication of NRS 244.9191 to
29 244.9219, inclusive.

30 3. The provisions of no other law, either general or local, except as
31 provided in NRS 244.9191 to 244.9219, inclusive, shall apply to doing
32 of the things authorized in NRS 244.9191 to 244.9219, inclusive, to be
33 done, and no board, agency, bureau, commission or official not desig-
34 nated in NRS 244.9191 to 244.9219, inclusive, shall have any authority
35 or jurisdiction over the doing of any of the acts authorized in NRS
36 244.9191 to 244.9219, inclusive, to be done, except as otherwise pro-
37 vided in NRS 244.9191 to 244.9219, inclusive.

38 4. No notice, consent or approval by any public body or officer
39 thereof shall be required as a prerequisite to the sale or issuance of any
40 bonds, the making of any contract or lease, or the exercise of any other
41 power under NRS 244.9191 to 244.9219, inclusive, except as provided
42 in NRS 244.9191 to 244.9219, inclusive.

43 5. A project is not subject to any requirements relating to public
44 buildings, structures, ground works or improvements imposed by the Stat-
45 utes of Nevada or any other similar requirements which may be lawfully
46 waived by this section, and any requirement of competitive bidding or
47 other restriction imposed on the procedure for award of contracts for such
48 purpose or the lease, sale or other disposition of property of the counties
49 is not applicable to any action taken pursuant to NRS 244.9191 to
50 244.9219, inclusive.

1 6. *Any bank or trust company located within or without this state*
2 *may be appointed and act as a trustee with respect to bonds issued and*
3 *projects financed pursuant to NRS 244.9191 to 244.9219, inclusive,*
4 *without the necessity of associating with any other person or entity as*
5 *confiduciary (but such association shall not be hereby prohibited), any*
6 *other law, including NRS 652.245, to the contrary notwithstanding.*

7 7. The powers conferred by NRS 244.9191 to 244.9219, inclusive,
8 shall be in addition and supplemental to, and not in substitution for, and
9 the limitations imposed by NRS 244.9191 to 244.9219, inclusive, shall
10 not affect the powers conferred by any other law.

11 [7.] 8. No part of NRS 244.9191 to 244.9219, inclusive, shall
12 repeal or affect any other law or part thereof, except to the extent that
13 NRS 244.9191 to 244.9219, inclusive, are inconsistent with any other
14 law, it being intended that NRS 244.9191 to 244.9219, inclusive, shall
15 provide a separate method of accomplishing its objectives, and not an
16 exclusive one; and NRS 244.9191 to 244.9219, inclusive, shall not be
17 construed as repealing, amending or changing any such other law except
18 to the extent of such inconsistency.

19 SEC. 27. This act shall become effective upon passage and approval.

S. B. 387

SENATE BILL NO. 387—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends charter of City of Reno by increasing number
of appointive officers. Fiscal Note: No. (BDR S-1385)

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

AN ACT to amend an act entitled "An Act incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved May 6, 1971, as amended.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Section 1.090 of Article I of the above-entitled act, being
2 chapter 662, Statutes of Nevada 1971, as amended by chapter 553,
3 Statutes of Nevada 1973, at page 876, is hereby amended to read as
4 follows:
5 Section 1.090 Appointive officers.
6 1. The city council shall provide for the appointment of a city
7 manager to perform the duties outlined in section 3.020. A vacancy in
8 the office of city manager shall be filled within 6 months.
9 2. The city council may establish such other appointive offices as it
10 may deem necessary for the operation of the city by designating the
11 position and the qualifications therefor by ordinance. Appointment of
12 such officers shall be made by the city manager and confirmed by the
13 city council. Such appointive offices may include:
14 [(a) Airport manager.
15 (b) Animal regulation officer.
16 (c) Assistant city manager.
17 (d) Chief building inspector.
18 (e) Chief license inspector.
19 (f) Chief of police.
20 (g) City controller.
21 (h) City engineer.
22 (i) Data processing director.
23 (j) Director of finance.

- 1 (k) Director of parks, recreation and public properties.
- 2 (l) Director of personnel.
- 3 (m) Director of public safety.
- 4 (n) Director of public works.
- 5 (o) Fire chief.
- 6 (p) Sign and paint superintendent.
- 7 (q) Signal and fire alarm superintendent.
- 8 (r) Superintendent of city shops.
- 9 (s) Superintendent of communications.
- 10 (t) Superintendent of parks.
- 11 (u) Superintendent of recreation.
- 12 (v) Superintendent of sanitation.
- 13 (w) Superintendent of sewer plant.
- 14 (x) Superintendent of sewers..
- 15 (y) Superintendent of streets.
- 16 (z) Traffic engineer.]
- 17 (a) *Accounting supervisor.*
- 18 (b) *Administrative assistant to fire chief.*
- 19 (c) *Administrative assistant to police chief.*
- 20 (d) *Airport director.*
- 21 (e) *Animal control supervisor.*
- 22 (f) *Assistant airport director.*
- 23 (g) *Assistant chief building inspector.*
- 24 (h) *Assistant city engineer.*
- 25 (i) *Assistant city manager.*
- 26 (j) *Assistant fire chief.*
- 27 (k) *Assistant police chief.*
- 28 (l) *Assistant public works director.*
- 29 (m) *Budget officer.*
- 30 (n) *Building maintenance superintendent.*
- 31 (o) *Chief building inspector.*
- 32 (p) *Chief license inspector.*
- 33 (q) *Chief of police.*
- 34 (r) *City controller.*
- 35 (s) *City engineer.*
- 36 (t) *Community development director.*
- 37 (u) *Data processing director.*
- 38 (v) *Director of finance.*
- 39 (w) *Director of parks, recreation and public properties.*
- 40 (x) *Director of personnel.*
- 41 (y) *Director of public safety.*
- 42 (z) *Director of public works.*
- 43 (aa) *Equipment maintenance superintendent.*
- 44 (bb) *Fire chief.*
- 45 (cc) *License supervisor.*
- 46 (dd) *Personnel officer.*
- 47 (ee) *Planning officer.*
- 48 (ff) *Property management supervisor.*
- 49 (gg) *Purchasing agent.*
- 50 (hh) *Sewer fee supervisor.*

- 1 (ii) Sign and paint supervisor.
2 (jj) Signal and fire alarm supervisor.
3 (kk) Superintendent of city shops.
4 (ll) Superintendent of communications.
5 (mm) Superintendent of parks.
6 (nn) Superintendent of recreation.
7 (oo) Superintendent of sanitation.
8 (pp) Superintendent of sewer plant.
9 (qq) Superintendent of sewers.
10 (rr) Superintendent of streets.
11 (ss) Traffic engineer.
12 (tt) Traffic engineering superintendent.
13 3. A city clerk shall be appointed by the city council.
14 SEC. 2. Section 9.020 of Article IX of the above-entitled act, being
15 chapter 553, Statutes of Nevada 1973, at page 884, is hereby amended to
16 read as follows:
17 Section 9.020 Civil Service and exempt positions. There is hereby
18 created a civil service system applicable to and for the purpose of govern-
19 ing the selection, appointment and promotion of all employees of the
20 city except the following exempt positions: Elected officials of the city,
21 city manager, secretary to the city manager, [assistant city manager, city
22 clerk, airports manager, animal control center supervisor, building super-
23 intendent, building inspection superintendent, chief license and sewer
24 collections inspector, city engineer, communications superintendent,
25 comptroller, data processing manager, equipment maintenance superin-
26 tendent, finance director, fire chief, parks and recreation director, parks
27 superintendent, personnel director, personnel officer, police chief, public
28 safety director, public works director, recreation superintendent, sewage
29 plant superintendent, sewer lines superintendent, sign and paint superin-
30 tendent, streets superintendent, traffic safety engineer, traffic signal and
31 fire alarm superintendent,] persons appointed by the city manager pur-
32 suant to subsection 2 of section 1.090, persons employed in the office of
33 the city attorney, persons employed by the city less than eighteen hours
34 per week, the chief examiner of the civil service commission, persons
35 employed in positions which are funded 50 percent or more by noncity
36 funds, and persons employed in trainee positions on a limited-term basis;
37 provided, however, that no employee of the City of Reno whose position
38 has heretofore been within the civil service system shall by this enactment
39 lose the rights or privileges held by him prior to the effective date of this
40 article.