

Item #11

**Carson City Redevelopment Authority
Agenda Report**

Date Submitted: December 9, 2008

Agenda Date Requested: December 18, 2008

Time Requested: 30 minutes

To: Chairman and Members

From: City Manager

Subject Title: Discussion and action on the provisions for developing an interlocal agreement between Carson City Board of Supervisors and the Redevelopment Authority.

Staff Summary: Direction is needed from the Redevelopment Authority to determine what rules, policies and procedures should be developed for the operation of the Authority and to determine the relationship of the City's departments to the Authority.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: Direct City staff to develop an interlocal agreement containing the elements as discussed by the Authority and to present the agreement to the Board of Supervisors and the Authority in January 2009 for approval.

Explanation for Recommended Board Action: See attached memorandum from the City Manager.

Applicable Statue, Code, Policy, Rule or Regulation: NRS 279

Fiscal Impact: None

Explanation of Impact: N/A

Funding Source: N/A

Alternatives:

Supporting Material: Amended Interlocal Agreement between Carson City Board of Supervisors, the Regional Transportation Commission and the Carson Area Metropolitan Planning Area; NRS 270

Prepared By: Lawrence A. Werner, P.E., P.L.S.

Reviewed By:

[Signature]
(Department Head)

Date: _____

[Signature]
(City Manager)

Date: 12/9/08

Melanie Barbotta
(District Attorney)

Date: 12-9-08

Mark Almondini
(Finance Director)

Date: 12-9-08

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

MEMORANDUM

TO: Chairman Williamson and Redevelopment Authority Members

FROM: Lawrence A. Werner, P.E., P.L.S.
City Manager

DATE: December 9, 2008

SUBJECT: Operating Procedures and Policies

As you are aware, the Redevelopment Authority has not adopted any specific operating procedures and policies. This subject has been the topic of the current internal audit and of many discussions. The Authority has the ability to adopt any such rule, policy or procedure it deems appropriate but must be in conformance with NRS 279. The rules, policies and procedures adopted by the Board of Supervisors do not automatically apply unless specifically authorized by the Authority.

I am suggesting that the following topics need to be discussed by the Authority and direction provided to staff to draft the appropriate rules, policies and procedures. I have enclosed a copy of the Amended Interlocal Cooperative Agreement that provides an example of the arrangement between the Board of Supervisors, the Regional Transportation Commission and the Carson Area Metropolitan Planning Area. Such an interlocal agreement needs to be development between the Board of Supervisors and the Redevelopment Authority.

Topics of Discussion:

1. Staffing for the Authority.
 - a. Staff employed directly by the Authority
 - b. Staff provided by the City
2. Utilization of City Departments
 - a. Authority agrees to use and follow the operating criteria of the City's support departments such as Finance, Information Systems, Human Resources, etc.
 - b. Authority may wish to obtain support functions from other sources.
3. Purchasing and Contracts
 - a. Authority agrees to adopt purchasing and contract policies and procedures as approved by the Board of Supervisors with the same limits and authority contained therein.

- b. The Authority may want to generally utilize the policies and procedures of the Board of Supervisors but set different limits and authority.

4. Other Matters as appropriate

Upon receiving the Authority's direction on the above matters, City staff will prepare the necessary agreements and present them to the Board of Supervisors and the Redevelopment Authority by the end of January 2009.

The topics above are in addition to the Policies and Procedures for the receipt of applications and approval process for incentives and assistance within the redevelopment area. The incentive policies will be presented to the Authority by the end of January 2009.

**CARSON CITY, NEVADA
REQUEST FOR BOARD ACTION**

Date Submitted: March 23, 2007

Agenda Date Requested: April 5, 2007
Time Requested: Consent Agenda

To: Mayor and Supervisors
From: Public Works, Transportation Division

Subject Title: Action to approve Amended Interlocal Cooperative Agreement between Carson City Board of Supervisors, the Carson City Regional Transportation Commission, and the Carson Area Metropolitan Planning Commission to provide the Regional Transportation Commission with transit operational authority, transit contracting authority, and authority approval street and highway contracts that include funds other than street funds, provided that the Carson City Board of Supervisors previously budgeted those other funds.

Staff Summary: There is currently an Interlocal Cooperative Agreement between these three parties that was executed in October of 2006, but opportunities were found by staff to improve the agreement and clarify the language to match the intent of the amended agreement adopted in October 2006. There are no changes to the CAMPO section of the agreement. The RTC and City portions of the agreement are being revised to clearly state that RTC has authority for transit operational authority, including transit contracting authority. The agreement is also proposed to give RTC authority to approve street and highway contracts that include funds other than street funds, provided that the Carson City Board of Supervisors previously budgeted those other funds. Both the RTC and CAMPO acted to approve the agreement as presented at meetings held on March 14, 2007.

Type of Action Requested: (Check One)
 Resolution Ordinance
 Formal Action/motion Other (Specify)

Does this Action Require a Business Impact Statement: () Yes (X) No

Recommended Board Action: I move to approve Amended Interlocal Cooperative Agreement between Carson City Board of Supervisors, the Carson City Regional Transportation Commission, and the Carson Area Metropolitan Planning Commission to provide the Regional Transportation Commission with transit operational authority, transit contracting authority, and authority approval street and highway contracts that include funds other than street funds, provided that the Carson City Board of Supervisors previously budgeted those other funds.

Explanation for Recommended Board Action: See summary above.

Applicable Statute, Code, Policy, Rule or Regulation: N/A

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

★ CLERK ★
FILED
 Time 9:45 am
 APR - 6 2007
 By [Signature]
 Deputy
 Carson City, Nevada

Alternatives: Not approve the amended agreement which will maintain the current program.

Supporting Material: Attached copy of amended agreement.

Prepared by: Patrick Pittenger, Transportation Program Manager

Reviewed By: (C/M) *Patrick Pittenger*
 Reviewed By: (Finance Dir) *Andrew Burnham*
 Reviewed By: (DA) *Melanie Dubetta*
 Reviewed By: *Patrick Pittenger*
 Andrew Burnham

Date: 3/27/07
 Date: 3/27/07
 Date: 3/27/07
 Date: 3/27/07

BOARD ACTION:

Motion _____

1: _____ (Aye)
 2: _____ (Nay)

(Vote Recorded By)

**AMENDED
INTERLOCAL COOPERATIVE AGREEMENT**

An agreement defining the respective responsibilities of the Carson City Board of Supervisors, the Carson City Regional Transportation Commission and the Carson Area Metropolitan Planning Organization.

This Amended Agreement is dated this 5th day of April, 2007, by and between Carson City, the Carson City Regional Transportation Commission and the Carson Area Metropolitan Planning Organization.

WITNESSETH

Whereas, Carson City (hereinafter "City") is a general purpose municipal government responsible for the exercise of statutory duties established under state law and municipal ordinance and is governed by a duly elected Board of Supervisors, and

Whereas, the Carson City Board of Supervisors (hereinafter "Supervisors") is authorized by state statute to delegate specific duties and responsibilities to other agencies and entities through execution of an interlocal agreement, and

Whereas, the Carson City Regional Transportation Commission (hereinafter "RTC") is a duly constituted special purpose agency responsible for certain specified duties and responsibilities as defined in Nevada Revised Statute and may enter into interlocal cooperative agreements for the exercise of assigned responsibilities, and

Whereas, the Carson Area Metropolitan Planning Organization (hereinafter "CAMPO") is a special purpose organization created through federal regulation, and

Whereas, the parties to this agreement desire to clearly define and identify the respective responsibilities of each agency or organization as relates to transportation planning, street and highway construction and maintenance, provision of public transportation services, and other tasks, activities and responsibilities necessary for the execution and support of the aforementioned transportation related activities.

Now, Therefore, in consideration of the premises and the covenants herein contained, it is agreed as follows:

CAMPO AGREES

1. To operate and manage the Metropolitan Planning Organization program for the Carson City area as designated by the Bureau of the Census and the Governor of the State of Nevada.
2. To conduct the transportation planning process as required by federal regulation and to perform other regional transportation planning activities as may be necessary to maintain federal planning certification including but not limited to the preparation and approval of a Simplified Statement (Unified Planning Work Program), Regional Transportation Plan and the respective modal elements, Transportation Improvement Program, Short-Range Transit Plan, and other plans and documents as may be necessary.

3. To coordinate the transportation planning process and the development of necessary documents with other City departments, the Nevada Department of Transportation, Douglas and Lyon Counties and other public and private agencies or interests.
4. To prepare and submit necessary planning documents as may be required from time to time including grant applications, requests for reimbursement, and other necessary and appropriate documentation to City, state and federal funding agencies to ensure full reimbursement for all eligible planning, operations and capital expenses.
5. To satisfy federal requirements regarding involvement of Native American tribal groups in the transportation planning process.
6. To utilize professional, technical and clerical staff provided by City and Supervisors in the exercise and execution of functional responsibilities of CAMPO and to reimburse City for such staff support as defined in this agreement or as may be agreed from time to time.

REGIONAL TRANSPORTATION COMMISSION AGREES

1. To prepare, monitor, and manage the development of plans, specifications, contract documents, right-of-way acquisition and construction necessary for the timely and efficient implementation of regional street and highway projects authorized by City and Supervisors.
2. To provide policy direction for street maintenance activities for the Street Operations Division of Public Works, including recommending annual budget requirements to City and Supervisors.
3. To award and execute street and highway contracts. *This authority includes the capacity to approve street and highway contracts that include RTC and/or street funds, and also other funds including, but not limited to, water and sewer funds, provided that those other funds were previously budgeted by the City .*
4. To provide City and Supervisors with periodic reports on project progress, expenditures and status of project or operating budgets.
5. To operate Jump Around Carson (JAC) transit services on behalf of City and Supervisors within the scope of budgetary approval as may be authorized on an annual basis. Such operational authority will include overseeing day-to-day operations and *considering and approving [providing recommendations to City and Supervisors concerning] operating schedules, fare structure, agreements with other agencies, and other matters necessary to the full and functional management and operation of the system. Operational authority also includes the authority to award and execute RTC transit contracts and amend these existing transit contracts.*
6. To collect operating and special revenues from daily operation of JAC and deposit such revenues with City either directly or through a management company.
7. To coordinate the maintenance of JAC equipment owned by City with City Fleet Maintenance Division and to timely notify City of issues related to the on-going maintenance of the JAC equipment.
8. To approve expenditure of funds for the provision of JAC service to service providers, suppliers, and others providing management, materials and supplies or special services to JAC, RTC and/or Carson City in the provision of public transportation service within the approved budget and will submit authorization for such payments to Carson City for processing and payment.
9. To prepare equipment and material specifications for acquisition and/or purchase of capital equipment, materials and supplies, or other necessary items and to provide said material specifications and requests for acquisition of materials to City for procurement.

10. To provide City and Supervisors progress and productivity reports on the performance of JAC.
11. To provide CAMPO and/or City with appropriate grant applications, grant reimbursement requests, monthly and/or quarterly reports and summaries supporting reimbursement requests and will coordinate operations with CAMPO and/or City so as to allow timely submittal of required federal documents and reimbursement requests.
12. To coordinate with other public transportation providers in the region and as necessary *consider and approve* ~~[will provide City and Supervisors with recommendations for]~~ service changes, schedule modifications, fare adjustments, service connections with other providers and other matters related to the operation of the JAC service.
13. To issue requests for proposal, request for qualifications, project proposals, project bids and quotations and other matters necessary and appropriate for the expeditious exercise of the responsibilities as granted herein.

CITY AGREES

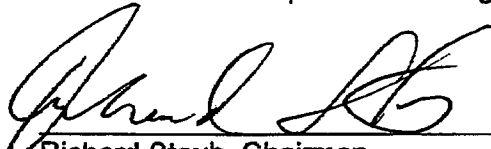
1. To approve an annual street and highway capital improvement budget and street maintenance budget and to allocate necessary funds for the construction and maintenance of streets and highways deemed appropriate and necessary by the Supervisors to efficiently provide for the transportation needs of the community.
2. To hereby authorize the RTC to act on behalf of the City and Supervisors in carrying out the full intent of the budget authority for street and highway projects and street maintenance projects by completing project design and right-of-way acquisition either in-house through appointed staff or consultants, calling for bids, awarding of bids, execution of contracts, and supervising all project activities including right-of-way appraisal, acquisition, construction, including resolution of condemnation and pursuit of eminent domain proceedings if necessary.
3. To approve an annual public transportation operating and capital improvement budget utilizing local, state and federal funds in the discretion of the Supervisors and to allocate necessary match funds for the operation of JAC and to otherwise provide for the public transportation needs of the community.
4. To hereby authorize the RTC to act in behalf of City and Supervisors in the day-to-day operation and oversight of JAC and the street maintenance operation function of the Public Works Department based on the approved budget and policies established by City and Supervisors.
5. To provide necessary staff support to RTC and street operations for the work contemplated in this agreement including professional, technical, clerical, purchasing and procurement, legal services, human resource and other required support for the timely execution of the work contemplated in authorized street and highway project budget, street operations budget, or operation of JAC, without additional compensation except for such costs as may be related to JAC vehicle maintenance and other identified costs eligible for reimbursement under federal grant.
6. To provide appropriate documentation of RTC, street operations, and CAMPO costs incurred for eligible reimbursable staff expenses.
7. To maintain JAC vehicles and to provide RTC with maintenance reports and cost information including requests for reimbursement for maintenance services or other eligible expenses.
8. To provide financial accounting services to RTC and CAMPO and to provide periodic financial reports.

- 9. In the discretion of the Supervisors, to procure materials, equipment and to facilitate the acquisition of such materials as requested by RTC as may be necessary to provide for the continued efficient and effective operation of JAC.
- 10. Carson City authorizes RTC and CAMPO to carry out activities essential to the efficient and effective implementation of transportation planning, street and highway project development and maintenance and implementation and provision of public transportation. *This authority includes calling for bids, proposals, statements of qualification, and the preparation, award, and execution of agreements and contracts providing such agreements and contracts are consistent with existing policy and budgets approved by Carson City.*
- 11. Carson City will provide legal services to CAMPO and RTC including exercise of eminent domain and other legal processes necessary for the timely implementation of street and highway projects and operation of the JAC service.

Except as otherwise expressly provided, this agreement constitutes the entire contract between the parties hereto and may not be modified except by mutual agreement. This agreement may be terminated in its entirety by any of the parties serving notice of intent to terminate the agreement.

IN WITNESS WHEREOF, each of the parties has caused this agreement to be duly executed on its behalf by an authorized representative.


Carson Area Metropolitan Planning Organization



 Richard Staub, Chairman

Date 3-22-07

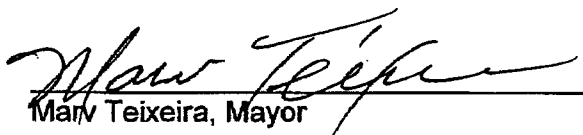
Carson City Regional Transportation Commission



 Richard Staub, Chairman

Date 3-22-07

Carson City Board of Supervisors



 Mary Teixeira, Mayor

Date 4/5/07

[Rev. 10/3/2007 7:35:13 PM]

CHAPTER 279 - REDEVELOPMENT OF COMMUNITIES

GENERAL PROVISIONS

<u>NRS 279.382</u>	Short title.
<u>NRS 279.384</u>	Definitions.
<u>NRS 279.386</u>	“Agency” defined.
<u>NRS 279.388</u>	“Blighted area” defined.
<u>NRS 279.390</u>	“Bonds” defined.
<u>NRS 279.392</u>	“Community” defined.
<u>NRS 279.393</u>	“Eligible railroad” defined.
<u>NRS 279.394</u>	“Federal Government” defined.
<u>NRS 279.396</u>	“Legislative body” defined.
<u>NRS 279.397</u>	“Low-income household” defined.
<u>NRS 279.398</u>	“Obligee” defined.
<u>NRS 279.400</u>	“Planning commission” defined.
<u>NRS 279.404</u>	“Public body” defined.
<u>NRS 279.406</u>	“Real property” defined.
<u>NRS 279.408</u>	“Redevelopment” defined.
<u>NRS 279.410</u>	“Redevelopment area” defined.
<u>NRS 279.412</u>	“Redevelopment project” defined.
<u>NRS 279.414</u>	“State” defined.
<u>NRS 279.416</u>	Declaration of state policy: Necessity of redevelopment of blighted areas.
<u>NRS 279.418</u>	Declaration of state policy: Growing menace of blighted areas to public health, safety and welfare; benefits to inhabitants resulting from remedying conditions.
<u>NRS 279.420</u>	Declaration of state policy: Inability of individual landowners to rehabilitate property; remedy by public acquisition.
<u>NRS 279.422</u>	Declaration of state policy: Temporary government-owned wartime housing projects as blighted areas.
<u>NRS 279.424</u>	Declaration of state policy: Redevelopment of blighted areas by eminent domain; public use; necessity.
<u>NRS 279.425</u>	Declaration of state policy: Adequate supply of decent, safe and sanitary low-income housing necessary to accomplish purposes of Community Redevelopment Law.

AGENCIES

<u>NRS 279.426</u>	Agency for redevelopment: Creation.
<u>NRS 279.428</u>	Resolution by legislative body as a prerequisite to functioning of agency.
<u>NRS 279.430</u>	Authority of agency conclusively presumed from resolution.
<u>NRS 279.432</u>	Powers of public bodies in aid of local redevelopment.
<u>NRS 279.434</u>	Exemption of agency and property from execution, process or lien; exceptions.
<u>NRS 279.436</u>	Suspension of agency’s authority.
<u>NRS 279.438</u>	Termination of redevelopment plan adopted before January 1, 1991, and amendments to plan.
<u>NRS 279.439</u>	Termination of redevelopment plan adopted on or after January 1, 1991, and amendments to plan.
<u>NRS 279.440</u>	Appointment of members; exceptions.
<u>NRS 279.442</u>	Restriction on appointment of members.
<u>NRS 279.443</u>	Alternative method of appointment of members; staggering of terms of resident electors; successors; vacancies.
<u>NRS 279.444</u>	Action of legislative body as alternative to appointment of members; city’s exercise of powers; delegation of powers and functions.
<u>NRS 279.446</u>	Terms of office of members; vacancies.
<u>NRS 279.448</u>	Chairman: Designation; election; term of office.
<u>NRS 279.450</u>	Compensation and expenses of members.
<u>NRS 279.452</u>	Removal of member: Procedure.
<u>NRS 279.454</u>	Interest in property included in redevelopment area forbidden; disclosure of interest; exception.
<u>NRS 279.456</u>	Acquisition of property by agency from member by eminent domain.
<u>NRS 279.458</u>	Agency’s power vested in members.
<u>NRS 279.460</u>	Agency’s governmental functions; powers.
<u>NRS 279.462</u>	Powers of agency.
<u>NRS 279.464</u>	Services and facilities available to agency.
<u>NRS 279.466</u>	Personnel: Selection; employment; compensation; limitations.
<u>NRS 279.468</u>	Preparation of plans for blighted areas; dissemination of redevelopment information; acceptance and expenditure of money; creation of residential plan; budget.
<u>NRS 279.470</u>	Acquisition, disposal and encumbrance of interests in real and personal property; insurance.
<u>NRS 279.471</u>	Requirements for agency to exercise power of eminent domain; resolutions; limited judicial review.
<u>NRS 279.4712</u>	Prerequisites to agency exercising power of eminent domain; requirements for written offer; appraisal performed on behalf of owner of property.
<u>NRS 279.4714</u>	Prerequisite to request that agency exercise power of eminent domain.
<u>NRS 279.472</u>	Leases or sales: Public hearing.
<u>NRS 279.474</u>	Development of building sites.

<u>NRS 279.476</u>	Rehousing bureau.
<u>NRS 279.478</u>	Assistance for relocation.
<u>NRS 279.480</u>	Investments.
<u>NRS 279.482</u>	Imposition of conditions on lessees and purchasers; employment plan required in proposal for redevelopment project.
<u>NRS 279.484</u>	Breach of covenants running with the land.
<u>NRS 279.486</u>	Purchase and construction of certain buildings, facilities and improvements; contribution by and reimbursement of community or other governmental entity.
<u>NRS 279.488</u>	Continuation of existing buildings on land; justification for acquisition by agency.
<u>NRS 279.490</u>	Financial assistance from governmental and private sources.
<u>NRS 279.492</u>	Eminent domain: Existing public use; consent of public body.
<u>NRS 279.494</u>	Territorial jurisdiction: Counties; cities.
<u>NRS 279.496</u>	Property owned in redevelopment project: Payment of money in lieu of taxes.
<u>NRS 279.498</u>	Work exceeding \$10,000 requires competitive bidding.
<u>NRS 279.500</u>	Applicability of provisions governing payment of prevailing wage for public works projects.
<u>NRS 279.508</u>	Joint exercise of powers by two or more agencies.
<u>NRS 279.510</u>	Designated agency's cooperation with planning commissions.
<u>NRS 279.512</u>	Formulation of redevelopment plans.
<u>NRS 279.514</u>	Redevelopment of area within another community's territory.

PLANS

<u>NRS 279.516</u>	Prerequisites of community for redevelopment: Planning commission; master plan.
<u>NRS 279.518</u>	Designation of areas for evaluation as redevelopment areas.
<u>NRS 279.519</u>	Areas acceptable for designation as redevelopment areas; percentage of redevelopment area required to be improved land; limitation on inclusion of taxable property in area in subsequently created redevelopment area.
<u>NRS 279.520</u>	Contents of resolution designating area for evaluation.
<u>NRS 279.522</u>	Requests for evaluation of particular area.
<u>NRS 279.524</u>	Selection of redevelopment area; preliminary plan.
<u>NRS 279.526</u>	Preliminary plan: Sufficiency.
<u>NRS 279.528</u>	Submission of preliminary plan to agency; analysis.
<u>NRS 279.530</u>	Cooperation of agency and planning commission.
<u>NRS 279.564</u>	Preparation or adoption of redevelopment plan by agency; hearings and negotiations.
<u>NRS 279.566</u>	Property owners' participation and assistance in redevelopment; agency's rules; provisions if nonparticipation.
<u>NRS 279.568</u>	Conformance to master or general plan for community.
<u>NRS 279.570</u>	Report by planning commission; vote of legislative body.
<u>NRS 279.572</u>	Contents of redevelopment plan: General requirements.
<u>NRS 279.574</u>	Contents of redevelopment plan: Leases and sales of real property by agency.
<u>NRS 279.576</u>	Contents of redevelopment plan: Acquisition of property; bonds.
<u>NRS 279.578</u>	Submission of redevelopment plan to legislative body; report required.
<u>NRS 279.580</u>	Matters to be considered by legislative body; public hearing; notice.
<u>NRS 279.583</u>	Proposals by legislative body to exclude certain land from proposed redevelopment area.
<u>NRS 279.586</u>	Adoption of redevelopment plan by ordinance: Determinations; contents of ordinance.
<u>NRS 279.589</u>	Effect of decision of legislative body.
<u>NRS 279.598</u>	Safeguards required that redevelopment will be carried out; controls.
<u>NRS 279.602</u>	Copy of ordinance transmitted to agency.
<u>NRS 279.603</u>	Recording of statement regarding redevelopment; transmission of certain information if taxes are to be divided.
<u>NRS 279.6035</u>	Applicants for building permits must be advised of redevelopment area.
<u>NRS 279.604</u>	Approval of contracts by legislative body.
<u>NRS 279.608</u>	Material deviation from or amendment of redevelopment plan: Recommendation to legislative body; hearing; notice; report and recommendations by planning commission; action by legislative body.
<u>NRS 279.609</u>	Limitations on actions to question validity of redevelopment plan or amendment.

FINANCIAL PROVISIONS

<u>NRS 279.610</u>	Appropriations.
<u>NRS 279.612</u>	Annual budget.
<u>NRS 279.614</u>	Agency's administrative fund.
<u>NRS 279.616</u>	Money appropriated to defray administrative expenses; agency not department of community; status of agency's employees.
<u>NRS 279.618</u>	Agency's reports to legislative body.
<u>NRS 279.619</u>	Limitation on issuing securities or incurring indebtedness.
<u>NRS 279.620</u>	Revolving fund: Establishment; sources.
<u>NRS 279.622</u>	Issuance and sale of general obligation bonds: Purposes; amount authorized.
<u>NRS 279.624</u>	Agreement with respect to amount of general obligation bonds where plan contains provision authorized by <u>NRS 279.676</u> .
<u>NRS 279.625</u>	Special election may be held only if emergency exists.
<u>NRS 279.626</u>	Issuance of general obligation bonds: Manner; limitations; exceeding limitation.
<u>NRS 279.628</u>	Expenditures from revolving fund.
<u>NRS 279.630</u>	Sale or lease of property acquired from revolving fund: Minimum amount; redeposit of proceeds; approval of sale or lease.

<u>NRS 279.632</u>	Abolition of revolving fund; transfer of money.
<u>NRS 279.634</u>	Bonds: Issuance for corporate or refunding purposes.
<u>NRS 279.636</u>	Types of bonds which agency may issue; additional security for bonds.
<u>NRS 279.638</u>	Liability on bonds; limitation of indebtedness.
<u>NRS 279.640</u>	Authorization of bonds; sale.
<u>NRS 279.642</u>	Validity of bonds: Termination of office.
<u>NRS 279.644</u>	Negotiability of bonds.
<u>NRS 279.646</u>	Validity of bonds: Presumptions.
<u>NRS 279.648</u>	Issuance of bonds: Pledge of revenues; encumbrances of property.
<u>NRS 279.650</u>	Issuance of bonds: Limitations on further indebtedness and transactions.
<u>NRS 279.652</u>	Issuance of bonds: Use of proceeds; lost or destroyed bonds; extension of time for payment; redemption.
<u>NRS 279.654</u>	Issuance of bonds: Rentals and revenues; special funds.
<u>NRS 279.656</u>	Issuance of bonds: Abrogation or amendment of contracts with bondholders.
<u>NRS 279.658</u>	Issuance of bonds: Use and maintenance of property; insurance.
<u>NRS 279.660</u>	Issuance of bonds: Effects of breach of covenants; waiver.
<u>NRS 279.662</u>	Bondholders' trustee: Powers and duties.
<u>NRS 279.664</u>	Power of agency to make additional covenants; additional powers.
<u>NRS 279.666</u>	Rights of agency's obligee.
<u>NRS 279.668</u>	Rights of agency's obligee upon default.
<u>NRS 279.670</u>	Bonds, interest and income exempted from taxes; exceptions.
<u>NRS 279.672</u>	Bonds of agency as legal investments.
<u>NRS 279.674</u>	"Taxes" defined.
<u>NRS 279.676</u>	Allocation, division and disposition of money from taxes; limitation on revenue; repayment of bond or other indebtedness.
<u>NRS 279.678</u>	Assessment and taxation of leased redeveloped property; provision in lease for lessee to pay taxes.
<u>NRS 279.680</u>	Pledging portion of taxes for payment of principal and interest on loans, advances or indebtedness.
<u>NRS 279.683</u>	Faith of State pledged not to impair securities.
<u>NRS 279.685</u>	Certain cities to set aside revenue for low-income housing; limitations.

GENERAL PROVISIONS

NRS 279.382 Short title. The provisions contained in NRS 279.382 to 279.685, inclusive, may be cited as the Community Redevelopment Law.
(Added to NRS by 1959, 648; A 1987, 1683; 1999, 3612; 2005, 2214)

NRS 279.384 Definitions. As used in NRS 279.382 to 279.685, inclusive, unless the context otherwise requires, the words and terms defined in NRS 279.386 to 279.414, inclusive, have the meanings ascribed to them in those sections.
(Added to NRS by 1959, 648; A 1985, 2068; 1993, 1329; 1999, 1090; 2003, 1286; 2005, 2214)

NRS 279.386 "Agency" defined. "Agency" means a redevelopment agency created under NRS 279.382 to 279.685, inclusive, or a legislative body which has elected to exercise the powers granted to an agency under NRS 279.382 to 279.685, inclusive.
(Added to NRS by 1959, 648)

NRS 279.388 "Blighted area" defined.

1. Except as otherwise provided in subsection 2, "blighted area" means an area which is characterized by at least four of the following factors:

- (a) The existence of buildings and structures, used or intended to be used for residential, commercial, industrial or other purposes, or any combination thereof, which are unfit or unsafe for those purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of one or more of the following factors:
 - (1) Defective design and character of physical construction.
 - (2) Faulty arrangement of the interior and spacing of buildings.
 - (3) Inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities.
 - (4) Age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses.
- (b) An economic dislocation, deterioration or disuse.
- (c) The subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development.
- (d) The laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions.
- (e) The existence of inadequate streets, open spaces and utilities.
- (f) The existence of lots or other areas which may be submerged.
- (g) Prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that the capacity to pay taxes is substantially reduced and tax receipts are inadequate for the cost of public services rendered.
- (h) A growing or total lack of proper utilization of some parts of the area, resulting in a stagnant and unproductive condition of land which is potentially useful and valuable for contributing to the public health, safety and welfare.
- (i) A loss of population and a reduction of proper use of some parts of the area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public facilities and services elsewhere.
- (j) The environmental contamination of buildings or property.
- (k) The existence of an abandoned mine.

2. If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad, "blighted area" means an area which is characterized by at least four of the factors set forth in subsection 1 or characterized by one or more of the following factors:

(a) The existence of railroad facilities, used or intended to be used, for commercial, industrial or other purposes, or any combination thereof, which are unfit or unsafe for those purposes because of age, obsolescence, deterioration or dilapidation.

(b) A growing or total lack of proper utilization of the railroad facilities resulting in a stagnant and unproductive condition of land which is potentially useful and valuable for contributing to the public health, safety and welfare.

(c) The lack of adequate rail facilities that has resulted or will result in an economic hardship to the community.

(Added to NRS by 1959, 648; A 1985, 2068; 2005, 2214)

NRS 279.390 "Bonds" defined. "Bonds" means any bonds, notes, interim certificates, debentures or other obligations issued by an agency pursuant to NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 649)

NRS 279.392 "Community" defined. "Community" means a city or county.

(Added to NRS by 1959, 649)

NRS 279.393 "Eligible railroad" defined. "Eligible railroad" means a railroad in existence on or before July 1, 2005:

1. That is located in a county whose population is less than 100,000; and

2. Of which no less than one-half of the ownership interest in the railroad is held by a governmental entity or nonprofit organization, or both.

(Added to NRS by 2005, 2213)

NRS 279.394 "Federal Government" defined. "Federal Government" means the United States or any of its agencies or instrumentalities.

(Added to NRS by 1959, 649)

NRS 279.396 "Legislative body" defined. "Legislative body" means the city council, board of county commissioners or other legislative body of a community.

(Added to NRS by 1959, 649)

NRS 279.397 "Low-income household" defined. "Low-income household" means a household, which may include one or more persons, whose total gross income is less than 80 percent of the median gross income for households of the same size within the same geographic region.

(Added to NRS by 1993, 1328)

NRS 279.398 "Obligee" defined. "Obligee" includes any bondholder, his trustee, any lessor demising to the agency property used in connection with a redevelopment area or any assignee of all or part of his interest, and the Federal Government if it is a party to any contract with the agency.

(Added to NRS by 1959, 649; A 1985, 2069)

NRS 279.400 "Planning commission" defined. "Planning commission" means a planning commission established pursuant to law or charter.

(Added to NRS by 1959, 649)

NRS 279.404 "Public body" defined. "Public body" means the State, or any city, county, district or any other political subdivision of the State.

(Added to NRS by 1959, 649)

NRS 279.406 "Real property" defined. "Real property" means:

1. Land, including land under water and waterfront property.

2. Buildings, structures, fixtures and improvements on land.

3. Any property appurtenant to or used in connection with land.

4. Every estate, interest, privilege, easement, franchise and right in land, including rights-of-way, terms for years and liens, charges or encumbrances by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(Added to NRS by 1959, 649)

NRS 279.408 "Redevelopment" defined.

1. "Redevelopment" means the planning, development, replanning, redesign, clearance, reconstruction or rehabilitation, or any combination of these, of all or part of a redevelopment area, and the provision of such residential, commercial, industrial, public or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including:

(a) Recreational and other facilities appurtenant thereto.

(b) Eligible railroads or facilities related to eligible railroads.

(c) The alteration, improvement, modernization, reconstruction or rehabilitation, or any combination thereof, of existing structures in a redevelopment area.

(d) Provision for uses involving open space, such as:

(1) Streets and other public grounds;

(2) Space around buildings, structures and improvements;

(3) Improvements of recreational areas; and

(4) Improvement of other public grounds.

(e) The replanning, redesign or original development of undeveloped areas where:

(1) The areas are stagnant or used improperly because of defective or inadequate layouts of streets, faulty layouts of lots in relation to size, shape, accessibility or usefulness, or for other causes; or

(2) The areas require replanning and assembly of land for reclamation or development in the interest of the general welfare because of widely scattered ownership, tax delinquency or other reasons.

2. "Redevelopment" does not exclude the continuance of existing buildings or uses whose demolition and rebuilding or change of use are not deemed essential to the redevelopment and rehabilitation of the area.

(Added to NRS by 1959, 649; A 1985, 2069; 2005, 2215)

NRS 279.410 "Redevelopment area" defined. "Redevelopment area" means an area of a community whose redevelopment is necessary to effectuate the public purposes declared in NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 650; A 1985, 2070)

NRS 279.412 "Redevelopment project" defined. "Redevelopment project" means any undertaking of an agency pursuant to NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 650)

NRS 279.414 "State" defined. "State" includes any state agency or instrumentality.

(Added to NRS by 1959, 650)

NRS 279.416 Declaration of state policy: Necessity of redevelopment of blighted areas. It is found and declared that there exist in many communities blighted areas which constitute either social or economic liabilities, or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of those communities and of the State.

(Added to NRS by 1959, 650; A 1985, 2070)

NRS 279.418 Declaration of state policy: Growing menace of blighted areas to public health, safety and welfare; benefits to inhabitants resulting from remedying conditions. It is further found and declared that:

1. The existence of blighted areas constitutes a serious and growing menace which is condemned as injurious and inimical to the public health, safety and welfare of the people of the communities in which they exist and of the people of the State.

2. Such blighted areas present difficulties and handicaps which are beyond remedy and control solely by regulatory processes in the exercise of the police power.

3. They contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention, correction, prosecution and punishment, the treatment of juvenile delinquency, the preservation of the public health and safety, and the maintaining of adequate police, fire and accident protection and other public services and facilities.

4. This menace is becoming increasingly direct and substantial in its significance and effect.

5. The benefits which will result from the remedying of such conditions and the redevelopment of blighted areas will accrue to all the inhabitants and property owners of the communities in which they exist.

(Added to NRS by 1959, 650)

NRS 279.420 Declaration of state policy: Inability of individual landowners to rehabilitate property; remedy by public acquisition. It is further found and declared that:

1. Conditions of blight tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize or rehabilitate his property while the condition of the neighboring properties remains unchanged.

2. As a consequence the process of deterioration of a blighted area frequently cannot be halted or corrected except by redeveloping the entire area, or substantial portions of it.

3. Such conditions of blight are chiefly found in areas subdivided into small parcels, held in divided and widely scattered ownerships, frequently under defective titles, and in many such instances the private assembly of the land in blighted areas for redevelopment is so difficult and costly that it is uneconomic and as a practical matter impossible for owners to undertake because of lack of legal power and excessive costs.

4. The remedying of such conditions may require the public acquisition at fair prices of adequate areas, the clearance of the areas through demolition of existing obsolete, inadequate, unsafe and insanitary buildings, and the redevelopment of the areas suffering from such conditions under proper supervision, with appropriate planning, and continuing land use and construction policies.

(Added to NRS by 1959, 651)

NRS 279.422 Declaration of state policy: Temporary government-owned wartime housing projects as blighted areas. It is further found and declared that blighted areas may include housing areas constructed as temporary government-owned wartime housing projects, and that such areas may be characterized by one or more of the conditions enumerated in NRS 279.388.

(Added to NRS by 1959, 651)

NRS 279.424 Declaration of state policy: Redevelopment of blighted areas by eminent domain; public use; necessity. It is declared to be the policy of the State:

1. To protect and promote the sound development and redevelopment of blighted areas and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all appropriate means.

2. That whenever the redevelopment of blighted areas cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance, and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes, and to provide a means by which blighted areas may be redeveloped or rehabilitated.

3. That the redevelopment of blighted areas and the provision for appropriate continuing land use and construction policies in them constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interests of health, safety and welfare of the people of the State and of the communities in which the areas exist.

4. That the necessity in the public interest for the provisions of NRS 279.382 to 279.685, inclusive, is declared to be a matter of legislative determination.

(Added to NRS by 1959, 651)

NRS 279.425 Declaration of state policy: Adequate supply of decent, safe and sanitary low-income housing necessary to accomplish purposes of Community Redevelopment Law. It is further found and declared that:

1. The provision of housing is a fundamental purpose of the Community Redevelopment Law and that a generally inadequate supply of decent, safe and sanitary housing available to low-income households threatens the accomplishment of the primary purposes of the Community Redevelopment Law, including, without limitation, creating new employment opportunities, attracting new private investments of money in the area and creating physical, economic, social and environmental conditions to remove and prevent the recurrence of blight.

2. The provision and improvement of housing which can be rented or sold to families with low incomes and which is inside or outside the boundaries of the redevelopment area can be of direct benefit to the redevelopment area in assisting the accomplishment of project objectives whether or not the redevelopment plan provides for housing within the project area.

3. The provision of affordable housing by redevelopment agencies and the use of taxes allocated to the agency pursuant thereto is of statewide benefit and assistance to all local governmental agencies in the areas where housing is provided.

(Added to NRS by 1993, 1328)

AGENCIES

NRS 279.426 Agency for redevelopment: Creation. There is in each community a public body, corporate and politic known as the redevelopment agency of the community.

(Added to NRS by 1959, 652)

NRS 279.428 Resolution by legislative body as a prerequisite to functioning of agency. An agency shall not transact any business or exercise any powers under NRS 279.382 to 279.685, inclusive, unless, by resolution, the legislative body declares that there is need for an agency to function in the community.

(Added to NRS by 1959, 652)

NRS 279.430 Authority of agency conclusively presumed from resolution. In any proceeding involving the validity or enforcement of, or relating to, any contract by an agency, the agency is conclusively deemed to have been established and authorized to transact business and exercise its powers upon proof of the adoption of such a resolution.

(Added to NRS by 1959, 652)

NRS 279.432 Powers of public bodies in aid of local redevelopment. For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of redevelopment projects located within the area in which it is authorized to act, any public body, upon the terms and with or without consideration as it determines, may:

1. Dedicate, sell, convey or lease any of its property to a redevelopment agency.

2. Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with redevelopment projects.

3. Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake.

4. Plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinances.

5. Enter into agreements with the Federal Government respecting action to be taken by such public body pursuant to any of the powers granted by NRS 279.382 to 279.685, inclusive. Such agreements may extend over any period, notwithstanding any law to the contrary.

6. Purchase or legally invest in any of the bonds of an agency and exercise all of the rights of any holder of such bonds.

(Added to NRS by 1959, 652)

NRS 279.434 Exemption of agency and property from execution, process or lien; exceptions. Execution or other judicial process shall not issue against the real property of an agency nor shall any judgment against an agency be a charge or lien upon its real property. This section does not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of an agency or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by an agency on its rents, fees or revenues.

(Added to NRS by 1959, 652)

NRS 279.436 Suspension of agency's authority. If an agency has not redeveloped or acquired land for, or commenced the redevelopment of a project, or entered into contracts for redevelopment within 2 years after the adoption of a resolution, as provided in NRS 279.428, the legislative body may by resolution declare that there is no further need for the agency. Upon

the adoption of the resolution the offices of the agency members are vacated and the capacity of the agency to transact business or exercise any powers is suspended until the legislative body adopts a resolution declaring the need for the agency to function.

(Added to NRS by 1959, 652)

NRS 279.438 Termination of redevelopment plan adopted before January 1, 1991, and amendments to plan. A redevelopment plan adopted before January 1, 1991, and any amendments to the plan must terminate at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued before that date concerning the redevelopment area are fully paid or 45 years after the date on which the original redevelopment plan was adopted, whichever is later.

(Added to NRS by 1959, 653; A 1987, 1683; 1997, 2557; 1999, 3613; 2007, 2484)

NRS 279.439 Termination of redevelopment plan adopted on or after January 1, 1991, and amendments to plan. A redevelopment plan adopted on or after January 1, 1991, and any amendments to the plan must terminate not later than 30 years after the date on which the original redevelopment plan is adopted.

(Added to NRS by 1987, 1683; A 1997, 2557; 2007, 2484)

NRS 279.440 Appointment of members; exceptions. Except as otherwise provided in NRS 279.443 and 279.444, when the legislative body adopts a resolution declaring the need for an agency, the mayor or other executive officer of a city or chairman of the board of county commissioners, with the approval of the legislative body, shall appoint five resident electors of the community as members of the agency.

(Added to NRS by 1959, 653; A 2003, 1286)

NRS 279.442 Restriction on appointment of members. A member may not be an employee of the community, but notwithstanding any other law, he may be a member or employee of any other agency or authority of, or created for, the community.

(Added to NRS by 1959, 653; A 2003, 1286)

NRS 279.443 Alternative method of appointment of members; staggering of terms of resident electors; successors; vacancies.

1. As an alternative to the appointment of five members of the agency pursuant to NRS 279.440 and as an alternative to the procedures set forth in NRS 279.444:

(a) At the time of the adoption of a resolution pursuant to NRS 279.428, the legislative body may appoint not more than 11 of the following persons as members of the agency:

- (1) Resident electors of the community;
- (2) Members of the legislative body; or
- (3) A combination of resident electors of the community and members of the legislative body; or

(b) At any time after the adoption of a resolution pursuant to NRS 279.428, the legislative body may direct the mayor or other executive officer of the city or chairman of the board of county commissioners to appoint not more than 11 of the following persons as members of the agency:

- (1) Resident electors of the community;
- (2) Members of the legislative body; or
- (3) A combination of resident electors of the community and members of the legislative body.

2. The terms of any resident electors of the community first appointed as members of the agency pursuant to paragraph (a) or (b) of subsection 1 must be staggered in substantially the same proportion as the terms of members are staggered pursuant to NRS 279.446. The successors of the members first appointed must be appointed for 4-year terms. Vacancies occurring during a term must be filled for the unexpired term. A member shall hold office until his successor is appointed and qualified.

(Added to NRS by 2003, 1285)

NRS 279.444 Action of legislative body as alternative to appointment of members; city's exercise of powers; delegation of powers and functions.

1. As an alternative to the appointment of five members of the agency pursuant to NRS 279.440 and as an alternative to the procedures set forth in NRS 279.443, the legislative body may, at the time of the adoption of a resolution pursuant to NRS 279.428, or at any time thereafter, declare itself to be the agency, in which case, all the rights, powers, duties, privileges and immunities vested by NRS 279.382 to 279.685, inclusive, in an agency are vested in the legislative body of the community. If the legislative body of a city declares itself to be the agency pursuant to this subsection, it may include the mayor of the city as part of the agency regardless of whether he is a member of the legislative body.

2. A city may enact its own procedural ordinance and exercise the powers granted by NRS 279.382 to 279.685, inclusive.

3. An agency may delegate to a community any of the powers or functions of the agency with respect to the planning or undertaking of a redevelopment project in the area in which that community is authorized to act, and that community may carry out or perform those powers or functions for the agency.

(Added to NRS by 1959, 653; A 1985, 2070; 1993, 334; 2003, 1286)

NRS 279.446 Terms of office of members; vacancies. If five resident electors of the community are appointed as members of the agency pursuant to NRS 279.440, three of the members first appointed must be designated to serve for terms of 1, 2 and 3 years, respectively, after the date of their appointments and two must be designated to serve for terms of 4 years after the date of their appointments. Their successors must be appointed for 4-year terms. Vacancies occurring during a term must be filled for the unexpired term. A member shall hold office until his successor is appointed and qualified.

(Added to NRS by 1959, 653; A 2003, 1287)

NRS 279.448 Chairman: Designation; election; term of office. The appointing officer shall designate the first chairman from among the members. When there is a vacancy in such office, the agency shall elect a chairman from among its members. Unless otherwise prescribed by the legislative body, the term of office as chairman is for the calendar year, or for that portion remaining after he is designated or elected.

(Added to NRS by 1959, 653)

NRS 279.450 Compensation and expenses of members. Members shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties. They may receive such other compensation as the legislative body prescribes.

(Added to NRS by 1959, 653)

NRS 279.452 Removal of member: Procedure. For inefficiency, neglect of duty or misconduct in office, a member may be removed by the appointing officer, but only after he has been given a copy of the charges at least 10 days prior to a public hearing on such charges and has had an opportunity to be heard in person or by counsel. If a member is removed, a record of the proceedings and the charges and findings shall be filed in the office of the clerk of the community.

(Added to NRS by 1959, 653)

NRS 279.454 Interest in property included in redevelopment area forbidden; disclosure of interest; exception.

1. Except as provided in subsection 2, no officer or employee of an agency or community who in the course of his duties is required to participate in the formulation of or to approve plans or policies for the redevelopment of a redevelopment area may acquire any interest in any property included within a redevelopment area within the community. If any officer or employee owns, purchases or has or acquires any direct or indirect financial interest in such property, he shall immediately make a written disclosure of it to the agency and the legislative body which must be entered on their minutes. Failure to disclose constitutes misconduct in office.

2. Such an officer or employee may purchase or acquire property in the redevelopment area if he uses it for his residence.

(Added to NRS by 1959, 654; A 1985, 976, 2071)

NRS 279.456 Acquisition of property by agency from member by eminent domain. An agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

(Added to NRS by 1959, 654)

NRS 279.458 Agency's power vested in members. The powers of each agency are vested in the members in office.

(Added to NRS by 1959, 654)

NRS 279.460 Agency's governmental functions; powers. Each redevelopment agency exercises governmental functions and has the powers prescribed in NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 654)

NRS 279.462 Powers of agency. An agency may:

1. Sue and be sued.
2. Have a seal.
3. Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
4. Make, amend and repeal bylaws and regulations not inconsistent with, and to carry into effect, the powers and purposes of NRS 279.382 to 279.685, inclusive.
5. Obtain, hire, purchase or rent office space, equipment, supplies, insurance and services.
6. Authorize and pay the travel expenses of agency members, officers, agents, counsel and employees on agency business.

(Added to NRS by 1959, 654)

NRS 279.464 Services and facilities available to agency. For the purposes of the agency, it shall have access to the services and facilities of the planning commission, the city engineer and other departments and offices of the community.

(Added to NRS by 1959, 654)

NRS 279.466 Personnel: Selection; employment; compensation; limitations. An agency may select, appoint and employ such permanent and temporary officers, agents, counsel and employees as it requires, and determine their qualifications, duties, benefits and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or encumbrance of the funds appropriated to the community redevelopment agency administrative fund.

(Added to NRS by 1959, 654)

NRS 279.468 Preparation of plans for blighted areas; dissemination of redevelopment information; acceptance and expenditure of money; creation of residential plan; budget. An agency may:

1. From time to time prepare plans for the improvement, rehabilitation and redevelopment of blighted areas.
2. Disseminate redevelopment information.
3. Accept financial or other assistance from any public or private source, for the agency's activities, powers and duties, and expend any funds so received for any of the purposes of NRS 279.382 to 279.685, inclusive.
4. For each neighborhood within the redevelopment area, create a residential plan for the neighborhood or appoint an advisory council for redevelopment and delegate the authority to create the residential plan to the advisory council. A residential plan created by an advisory council must be approved by the agency, and each residential plan created pursuant to this subsection must include a financing plan.

5. Include in its budget all money received from any source, including, without limitation, money received from a local government for use by an advisory council in carrying out a residential plan approved by the agency.
(Added to NRS by 1959, 654; A 1999, 3613)

NRS 279.470 Acquisition, disposal and encumbrance of interests in real and personal property; insurance. Within the redevelopment area or for purposes of redevelopment, an agency may:

1. Purchase, lease, obtain option upon or acquire by gift, grant, bequest, devise or otherwise, any real or personal property, any interest in property and any improvements thereon.
2. Except as otherwise provided in NRS 279.471 and 279.4712, acquire real property by eminent domain.
3. Clear buildings, structures or other improvements from any real property acquired.
4. Sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust or otherwise, or otherwise dispose of any real or personal property or any interest in property.
5. Insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards.
6. Rent, maintain, manage, operate, repair and clear such real property.
(Added to NRS by 1959, 654; A 1999, 3613; 2005, 2216)

NRS 279.471 Requirements for agency to exercise power of eminent domain; resolutions; limited judicial review.

1. Except as otherwise provided in this subsection, an agency may exercise the power of eminent domain to acquire property for a redevelopment project only if the agency adopts a resolution that includes a written finding by the agency that a condition of blight exists for each individual parcel of property to be acquired by eminent domain. An agency may exercise the power of eminent domain to acquire a parcel of property that is not blighted for a redevelopment project if the agency adopts a resolution that includes a written finding by the agency that a condition of blight exists for at least two-thirds of the property within the redevelopment area at the time the redevelopment area was created.

2. In addition to the requirement set forth in subsection 1, an agency may exercise the power of eminent domain to acquire property for a redevelopment project only if:

- (a) The property sought to be acquired is necessary to carry out the redevelopment plan;
- (b) The agency has adopted a resolution of necessity that complies with the requirements set forth in subsection 3; and
- (c) The agency has complied with the provisions of NRS 279.4712.

3. A resolution of necessity required pursuant to paragraph (b) of subsection 2 must set forth:

- (a) A statement that the property will be acquired for purposes of redevelopment as authorized pursuant to paragraph (q) of subsection 1 of NRS 37.010 and subsection 2 of NRS 279.470;
- (b) A reasonably detailed description of the property to be acquired;
- (c) A finding by the agency that the public interest and necessity require the acquisition of the property;
- (d) A finding by the agency that acquisition of the property will be the option for redevelopment that is most compatible with the greatest public good and the least private injury; and
- (e) A finding by the agency that acquisition of the property is necessary for purposes of redevelopment.

4. After an agency adopts a resolution pursuant to subsection 1 or 2, the resolution so adopted and the findings set forth in the resolution are final and conclusive and are not subject to judicial review unless credible evidence is adduced to suggest that the resolution or the findings set forth therein were procured through bribery or fraud.
(Added to NRS by 1999, 3612; A 2005, 1790, 2216; 2007, 338)

NRS 279.4712 Prerequisites to agency exercising power of eminent domain; requirements for written offer; appraisal performed on behalf of owner of property.

1. Before an agency may exercise the power of eminent domain to acquire property for a redevelopment project, the agency must:

- (a) Negotiate in good faith with the owner of the property and attempt to reach an agreement regarding the amount of compensation to be paid for the property;
- (b) Provide the owner with a written offer of compensation in the manner set forth in subsection 2 and allow the owner at least 30 days after the date he receives the offer to respond to the offer, unless the offer is returned as undeliverable; and
- (c) Provide the owner with a copy of the appraisal report upon which the offer of compensation is based at the time the offer is made.

2. A written offer of compensation required pursuant to subsection 1:

- (a) Must include written notice to the owner of the property informing him of the following:
 - (1) That all or a portion of his property is necessary to carry out the redevelopment plan;
 - (2) The nature of the intended redevelopment, at the time of the written offer, for which the property is considered necessary;
 - (3) The parcel number or other reasonably detailed description of the property sought to be acquired;
 - (4) That the agency has provided a copy of the appraisal report upon which the offer of compensation is based;
 - (5) That the agency will provide copies, to the extent prepared, of any preliminary plans or redevelopment plans within 15 days upon request; and
 - (6) The rights and responsibilities of the owner pursuant to this section.
- (b) Must include the value of the property sought to be acquired plus damages, if any, as appraised by the agency.
- (c) Must be sent by certified mail, return receipt requested, to the last known address of the owner of the property as shown in the records of the county assessor or by personal delivery. If there is more than one owner of the property, notice must be sent to all owners of the property. If the written offer of compensation is returned as undeliverable, no additional notice is required. The agency is not required to provide an additional written offer of compensation to a person who acquires title to the property after the written offer of compensation has been provided in the manner required pursuant to this paragraph.

3. If the owner of the property has an appraisal performed on his own behalf, the owner must provide the agency with a

copy of the appraisal report.

(Added to NRS by 2005, 2213)

NRS 279.4714 Prerequisite to request that agency exercise power of eminent domain. Before a person who seeks to purchase, lease or otherwise acquire or increase an interest in any property within a redevelopment area may request an agency to exercise the power of eminent domain to acquire the property, the person requesting the redevelopment must negotiate in good faith with the owner of the property to reach an agreement to purchase the property from the owner of the property.

(Added to NRS by 2005, 2214)

NRS 279.472 Leases or sales: Public hearing. Any lease or sale made pursuant to NRS 279.470 may be made without public bidding but only after a public hearing, notice of which shall be given by publication for not less than once a week for 2 weeks in a newspaper of general circulation published in the county in which the land lies.

(Added to NRS by 1959, 655)

NRS 279.474 Development of building sites. An agency may develop as a building site any real property owned or acquired by it. In connection with such development it may cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities to be constructed and installed.

(Added to NRS by 1959, 655)

NRS 279.476 Rehousing bureau. An agency may operate a rehousing bureau to assist site occupants in obtaining adequate temporary or permanent housing. It may incur any necessary expenses for this purpose.

(Added to NRS by 1959, 655)

NRS 279.478 Assistance for relocation.

1. An agency shall provide assistance for relocation and shall make all the payments required by chapter 342 of NRS and the regulations adopted by the Director of the Department of Transportation pursuant thereto for programs or projects for which federal financial assistance is received to pay all or any part of the cost of that program or project.

2. This section does not limit any other authority which an agency may have to make other payments for assistance for relocation or to make any payment for that assistance which exceeds the amount authorized in regulations adopted by the Director of the Department of Transportation pursuant to chapter 342 of NRS.

(Added to NRS by 1959, 655; A 1973, 153; 1985, 2071; 1989, 636; 1999, 3613)

NRS 279.480 Investments. An agency may:

1. Invest any money held in reserves or sinking funds, or any money not required for immediate disbursement, in:

(a) Obligations issued by the United States Postal Service or the Federal National Mortgage Association, whether or not the payment of principal and interest thereon is guaranteed by the Federal Government.

(b) Bonds or other obligations issued by a redevelopment agency created pursuant to NRS 279.382 to 279.685, inclusive, or a legislative body that has elected to exercise the powers granted to an agency pursuant to the provisions of NRS 279.382 to 279.685, inclusive.

(c) Bonds or other securities issued pursuant to the provisions of NRS 349.150 to 349.364, inclusive, 350.500 to 350.720, inclusive, or 396.809 to 396.885, inclusive.

(d) Money market mutual funds that:

(1) Are registered with the Securities and Exchange Commission;

(2) Are rated by a nationally recognized rating service as "AAA" or its equivalent; and

(3) Invest only in securities issued or guaranteed as to payment of principal and interest by the Federal Government, or its agencies or instrumentalities, or in repurchase agreements that are fully collateralized by such securities.

(e) Any other investment in which a city may invest pursuant to NRS 355.170.

2. Purchase its bonds at a price not more than their principal amount and accrued interest. All bonds so purchased must be cancelled.

(Added to NRS by 1959, 655; A 1997, 2875; 1999, 576, 621)

NRS 279.482 Imposition of conditions on lessees and purchasers; employment plan required in proposal for redevelopment project.

1. An agency may obligate lessees or purchasers of property acquired in a redevelopment project to:

(a) Use the property for the purpose designated in the redevelopment plans.

(b) Begin the redevelopment of the area within a period of time which the agency fixes as reasonable.

(c) Comply with other conditions which the agency deems necessary to carry out the purposes of NRS 279.382 to 279.685, inclusive, including, without limitation, the provisions of an employment plan or a contract approved for a redevelopment project.

2. As appropriate for the particular project, each proposal for a redevelopment project must also include an employment plan. The employment plan must include:

(a) A description of the existing opportunities for employment within the area;

(b) A projection of the effect that the redevelopment project will have on opportunities for employment within the area;

and

(c) A description of the manner in which an employer relocating his business into the area plans to employ persons living within the area of operation who:

(1) Are economically disadvantaged;

(2) Have a physical disability;

(3) Are members of racial minorities;

(4) Are veterans; or

(5) Are women.

(Added to NRS by 1959, 655; A 1985, 2071; 1997, 2558; 1999, 3614)

NRS 279.484 Breach of covenants running with the land. The agency may provide in the contract that any of the obligations of the purchaser are covenants or conditions running with the land, the breach of which shall cause the fee to revert to the agency.

(Added to NRS by 1959, 655)

NRS 279.486 Purchase and construction of certain buildings, facilities and improvements; contribution by and reimbursement of community or other governmental entity.

1. An agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned and located within or without the redevelopment area. Before the legislative body may give its consent, it must determine that:

(a) The buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located; and

(b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available.

→ Those determinations by the agency and the legislative body are final and conclusive.

2. In reaching its determination that the buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located, the legislative body shall consider:

(a) Whether the buildings, facilities, structures or other improvements are likely to:

(1) Encourage the creation of new business or other appropriate development;

(2) Create jobs or other business opportunities for nearby residents;

(3) Increase local revenues from desirable sources;

(4) Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located;

(5) Possess attributes that are unique, either as to type of use or level of quality and design;

(6) Require for their construction, installation or operation the use of qualified and trained labor; and

(7) Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency.

(b) The opinions of persons who reside in the redevelopment area or the immediate neighborhood in which the redevelopment area is located.

(c) Comparisons between the level of spending proposed by the agency and projections, made on a pro forma basis by the agency, of future revenues attributable to the buildings, facilities, structures or other improvements.

3. If the value of that land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community or governmental entity for all or part of the value of that land or of the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and allocated to the agency under paragraph (b) of subsection 1 of NRS 279.676, or out of any other available money.

(Added to NRS by 1959, 655; A 1981, 763; 1985, 2072; 1993, 1329; 2003, 644)

NRS 279.488 Continuation of existing buildings on land; justification for acquisition by agency. Without the consent of an owner, an agency may not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless such building requires structural alteration, improvement, modernization or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use or it is necessary to impose upon such property any of the standards, restrictions and controls of the plan and the owner fails or refuses to agree to participate in the redevelopment plan.

(Added to NRS by 1959, 656)

NRS 279.490 Financial assistance from governmental and private sources. An agency may borrow money or accept financial or other assistance from the State, the Federal Government or private sources for any redevelopment project within its area of operation, and may comply with any conditions of that loan or grant.

(Added to NRS by 1959, 656; A 1985, 2072)

NRS 279.492 Eminent domain: Existing public use; consent of public body. Property already devoted to a public use may be acquired by the agency through eminent domain, but property of a public body shall not be acquired without its consent.

(Added to NRS by 1959, 656)

NRS 279.494 Territorial jurisdiction: Counties; cities. The territorial jurisdiction of the agency of a county is the unincorporated territory in the county, and that of a city is the territory within its limits.

(Added to NRS by 1959, 656)

NRS 279.496 Property owned in redevelopment project: Payment of money in lieu of taxes. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, district or other public corporation which would have levied a tax upon such property, had it not been exempt, an amount of money in lieu of taxes.

(Added to NRS by 1959, 656)

NRS 279.498 Work exceeding \$10,000 requires competitive bidding. Any work of grading, clearing, demolition or construction in excess of \$10,000 undertaken by the agency must be done by contract after competitive bids.
(Added to NRS by 1959, 656; A 1985, 2072)

NRS 279.500 Applicability of provisions governing payment of prevailing wage for public works projects.

1. The provisions of NRS 338.010 to 338.090, inclusive, apply to any contract for new construction, repair or reconstruction which is awarded on or after October 1, 1991, by an agency for work to be done in a project.

2. If an agency provides property for development at less than the fair market value of the property, or provides financial incentives to the developer with a value of more than \$100,000, the agency must provide in the agreement with the developer that the development project is subject to the provisions of NRS 338.010 to 338.090, inclusive, to the same extent as if the agency had awarded the contract for the project. This subsection applies only to the project covered by the agreement between the agency and the developer. This subsection does not apply to future development of the property unless additional financial incentives with a value of more than \$100,000 are provided to the developer.

(Added to NRS by 1959, 656; A 1991, 2345)

NRS 279.508 Joint exercise of powers by two or more agencies. Two or more agencies within two or more communities may jointly exercise the powers granted under NRS 279.382 to 279.685, inclusive. In such case the agencies, the planning commissions and the legislative bodies may hold joint hearings and meetings, or the legislative bodies of the communities acting separately may each designate the agency of one of the communities to act as the agency for all of the interested communities.

(Added to NRS by 1959, 657)

NRS 279.510 Designated agency's cooperation with planning commissions. If one agency is designated, it shall obtain the report and recommendation of the planning commission of each community on the redevelopment plan and its conformity to the master or general plan of each community before presenting the tentative redevelopment plan or the redevelopment plan to the respective legislative bodies for adoption.

(Added to NRS by 1959, 657)

NRS 279.512 Formulation of redevelopment plans. The designated agency and each planning commission shall cooperate in formulating redevelopment plans.

(Added to NRS by 1959, 657)

NRS 279.514 Redevelopment of area within another community's territory. By ordinance the legislative body of a community may authorize the redevelopment of an area within its territorial limits by another community if such area is contiguous to such other community. The ordinance shall designate the community to undertake such redevelopment. The community so authorized may undertake the redevelopment of such area in all respects as if the area was within its territorial limits and its legislative body, agency and planning commission shall have all the rights, powers and privileges with respect to such area as if it was within the territorial limits of the community so authorized. Neither the legislative body, agency nor planning commission of the community so authorizing shall be required to comply with any requirements of NRS 279.382 to 279.685, inclusive, except as set forth in this section. Any redevelopment plan for such area shall be approved by ordinance enacted by the legislative body of the community so authorizing.

(Added to NRS by 1959, 657)

PLANS

NRS 279.516 Prerequisites of community for redevelopment: Planning commission; master plan. Before any area is designated for redevelopment, the community authorized to undertake such development shall:

1. Have a planning commission.

2. Have a master or general plan for the community adopted by the planning commission or the legislative body. The plan must include all of the following:

(a) The general location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other major public utilities and facilities.

(b) A land-use plan which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, recreation, education, public buildings and grounds and other categories of public and private uses of land.

(c) A statement of the standards of population density and building intensity recommended for the various districts and other territorial units, and estimates of future growth in population, in the territory covered by the plan, all correlated with the land-use plan.

(d) Maps, plans, charts or other descriptive matter showing the areas in which conditions are found indicating the existence of blighted areas.

(Added to NRS by 1959, 657; A 1987, 711)

NRS 279.518 Designation of areas for evaluation as redevelopment areas. Areas for evaluation may be designated by resolution of the legislative body, or the legislative body may by resolution authorize the designation of those areas by resolution of the planning commission or by resolution of the members of the agency.

(Added to NRS by 1959, 658; A 1985, 2073)

NRS 279.519 Areas acceptable for designation as redevelopment areas; percentage of redevelopment area

required to be improved land; limitation on inclusion of taxable property in area in subsequently created redevelopment area.

1. A redevelopment area need not be restricted to buildings, improvements or lands which are detrimental or inimical to the public health, safety or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A redevelopment area may include, in addition to blighted areas, lands, buildings or improvements which are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part.

2. At least 75 percent of the area included within a redevelopment area must be improved land and may include, without limitation:

(a) Public land upon which public buildings have been erected or improvements have been constructed.

(b) Land on which an abandoned mine, landfill or other similar use is located and which is surrounded by or directly abuts the improved land.

3. The area included within a redevelopment area may be contiguous or noncontiguous.

4. If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad, the area included within a redevelopment area may consist of contiguous or noncontiguous vacant land that:

(a) Is located near the eligible railroad; and

(b) May accommodate commercial or industrial facilities that may use the eligible railroad.

5. The taxable property in a redevelopment area must not be included in any subsequently created redevelopment area until at least 50 years after the effective date of creation of the first redevelopment area in which the property was included.

6. As used in this section, "improved land" means:

(a) Land that contains structures which:

(1) Are used for residential, commercial, industrial or governmental purposes; and

(2) Have been connected to water facilities, sewer facilities or roads, or any combination thereof;

(b) Any areas related to the structures described in paragraph (a), including, without limitation, landscaping areas, parking areas, parks and streets; and

(c) If the subject of the redevelopment is an eligible railroad or facilities related to an eligible railroad:

(1) Land on which the eligible railroad is located; and

(2) Any areas related to the eligible railroad, including, without limitation, land on which is located railroad tracks, a railroad right-of-way or a facility related to the eligible railroad.

(Added to NRS by 1985, 2067; A 1987, 1683; 1999, 1090; 2005, 2216)

NRS 279.520 Contents of resolution designating area for evaluation. The resolution designating an area for evaluation must contain the following:

1. A finding that the area requires study to determine if a redevelopment project within that area is feasible.

2. A description of the boundaries of the area designated.

(Added to NRS by 1959, 658; A 1985, 2073)

NRS 279.522 Requests for evaluation of particular area. Any person may, in writing, request the legislative body, or the planning commission or the agency if authorized by the legislative body to designate areas for evaluation, to designate such an area for study, and may submit with their request plans showing the proposed redevelopment of that area or any part thereof.

(Added to NRS by 1959, 658; A 1985, 2073)

NRS 279.524 Selection of redevelopment area; preliminary plan. The planning commission may, on its own motion or at the request of the agency, or shall, at the direction of the legislative body or upon the written petition of the owners in fee of a majority of any redevelopment area, excluding publicly owned areas or areas dedicated to a public use, select one or more redevelopment areas comprising all or part of the area for evaluation, and formulate a preliminary plan for the redevelopment of each redevelopment area.

(Added to NRS by 1959, 658; A 1985, 2073)

NRS 279.526 Preliminary plan: Sufficiency. A preliminary plan is sufficient if it:

1. Describes the boundaries of the redevelopment area.

2. Contains a general statement of the uses of the land, layout of principal streets, densities of population and intensities and standards of building proposed for the redevelopment of the area.

3. Shows how the purposes of NRS 279.382 to 279.685, inclusive, would be attained by such redevelopment.

4. Shows that the proposed redevelopment conforms to the master or general plan for the community.

(Added to NRS by 1959, 658; A 1985, 2073)

NRS 279.528 Submission of preliminary plan to agency; analysis. The planning commission shall submit the preliminary plan for each redevelopment area to the agency. The agency shall make an analysis of the preliminary plan and include the analysis in its report to the legislative body.

(Added to NRS by 1959, 658; A 1985, 2074)

NRS 279.530 Cooperation of agency and planning commission. The agency and planning commission shall cooperate in the selection of redevelopment areas and in the preparation of the preliminary plans.

(Added to NRS by 1959, 658; A 1985, 2074)

NRS 279.564 Preparation or adoption of redevelopment plan by agency; hearings and negotiations. Each agency shall prepare or cause to be prepared, or adopt, a redevelopment plan for each redevelopment area and for that purpose may hold hearings and conduct examinations, investigations and other negotiations.

(Added to NRS by 1959, 661; A 1985, 2074)

NRS 279.566 Property owners' participation and assistance in redevelopment; agency's rules; provisions if nonparticipation.

1. Every redevelopment plan must provide for the participation and assistance in the redevelopment of property in the redevelopment area by the owners of all or part of that property if the owners agree to participate in conformity with the redevelopment plan adopted by the legislative body for the area.

2. With respect to each redevelopment area, each agency shall, before the adoption of the redevelopment plan, adopt and make available for public inspection rules to implement the operation of this section in connection with that plan.

3. Every redevelopment plan must contain provisions for redevelopment of the property if the owners fail to participate in the redevelopment.

(Added to NRS by 1959, 661; A 1985, 2074; 1999, 3614)

NRS 279.568 Conformance to master or general plan for community. A redevelopment plan must conform to the master or general plan for the community as it applies to the redevelopment area. The agency shall consult with the planning commission of the community in formulating redevelopment plans.

(Added to NRS by 1959, 661; A 1985, 2074)

NRS 279.570 Report by planning commission; vote of legislative body.

1. Before the redevelopment plan is submitted to the legislative body, it must be submitted to the planning commission for its report and recommendation and for its conformity to the master or general plan for the community. Within 30 days after a redevelopment plan is submitted to it for consideration, the planning commission shall make and file its report and recommendation with the agency.

2. If the planning commission recommends against the approval of the redevelopment plan, the legislative body may adopt that plan by a two-thirds vote of its entire membership. If the planning commission recommends approval or fails to make any recommendation within the time allowed, the legislative body may adopt the redevelopment plan by a majority vote of the entire membership.

(Added to NRS by 1959, 661; A 1985, 2074)

NRS 279.572 Contents of redevelopment plan: General requirements. Every redevelopment plan must show:

1. The amount of open space to be provided and the layout of streets;
2. Limitations on type, size, height, number and proposed use of buildings;
3. The approximate number of dwelling units;
4. The property to be devoted to public purposes and the nature of those purposes;
5. Other covenants, conditions and restrictions which the legislative body prescribes; and
6. The proposed method of financing the redevelopment plan in sufficient detail so that the legislative body may determine the economic feasibility of the plan.

(Added to NRS by 1959, 662; A 1985, 2075; 1991, 2064; 1997, 2558)

NRS 279.574 Contents of redevelopment plan: Leases and sales of real property by agency. Except as otherwise provided in **NRS 279.486**, every redevelopment plan must provide for the agency to lease or sell all real property acquired by it in any redevelopment area, except property conveyed by it to the community. Any such lease or sale must be conditioned on the redevelopment and use of the property in conformity with the redevelopment plan.

(Added to NRS by 1959, 662; A 1985, 2075)

NRS 279.576 Contents of redevelopment plan: Acquisition of property; bonds. A redevelopment plan may provide for the agency to:

1. Acquire by gift, purchase, lease or condemnation all or part of the real property in the redevelopment area, and any personal property acquired in connection with that real property.

2. Issue bonds and expend the proceeds from their sale in carrying out the redevelopment plan.

(Added to NRS by 1959, 662; A 1985, 2075)

NRS 279.578 Submission of redevelopment plan to legislative body; report required.

1. After the formation of a redevelopment plan and its submission to the planning commission of the community, the agency shall submit it to the legislative body.

2. Every redevelopment plan submitted to the legislative body must be accompanied by a report containing:

- (a) The reasons for the selection of the redevelopment area;
- (b) A description of the physical, social and economic conditions existing in the area;
- (c) A description of the proposed method of financing the redevelopment plan in sufficient detail so that the legislative body may determine the economic feasibility of the plan;
- (d) A method or plan for the relocation of persons and families temporarily or permanently displaced from housing facilities in the redevelopment area;
- (e) An analysis of the preliminary plan; and
- (f) The report and recommendations of the planning commission, if any.

(Added to NRS by 1959, 662; A 1985, 2075)

NRS 279.580 Matters to be considered by legislative body; public hearing; notice.

1. The legislative body shall consider the redevelopment plan submitted by the agency and all evidence and testimony for or against the adoption of the plan at a public hearing, notice of which must be given by publication for not less than once a week for 4 successive weeks in a newspaper of general circulation published in the county in which the redevelopment area is

located.

2. The notice of hearing must include:

- (a) A legal description of the boundaries of the area designated in the redevelopment plan;
- (b) A general statement of the scope and objectives of the plan; and
- (c) A statement of the day, hour and place where any person:

(1) Having an objection to the proposed redevelopment plan; or

(2) Who denies the existence of blight in the proposed redevelopment area or the regularity of any of the proceedings,

may appear before the legislative body and show cause why the proposed plan should not be adopted.

3. Copies of the notice must be mailed to the last known owner of each parcel of land in the area designated in the redevelopment plan, at his last known address as shown by the records of the assessor for the community.

(Added to NRS by 1959, 662; A 1985, 2076)

NRS 279.583 Proposals by legislative body to exclude certain land from proposed redevelopment area. After publication of notice of the public hearing pursuant to NRS 279.580 and before approval of the redevelopment plan by the legislative body, the legislative body may submit to the planning commission a proposal to exclude land from a proposed redevelopment area. Within 30 days after that change is submitted to it for consideration, the planning commission shall submit its report and recommendation to the legislative body. If the planning commission does not report upon the change within 30 days after its submission by the legislative body, the legislative body may proceed to exclude the land from the proposed redevelopment area without that report and recommendation.

(Added to NRS by 1985, 2067)

NRS 279.586 Adoption of redevelopment plan by ordinance: Determinations; contents of ordinance.

1. If the legislative body determines that:

(a) The redevelopment area includes a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in NRS 279.382 to 279.685, inclusive;

(b) The redevelopment plan would redevelop the area in conformity with NRS 279.382 to 279.685, inclusive, and is in the interests of the peace, health, safety and welfare of the community;

(c) The redevelopment plan conforms to the general plan of the community;

(d) The condemnation of real property, if provided for in the redevelopment plan, is necessary to the execution of the redevelopment plan and adequate provisions have been made for payment for property to be acquired as provided by law;

(e) Adequate permanent housing is or will be made available in the community for displaced occupants of the redevelopment area at rents comparable to those in the community at the time of displacement, if the redevelopment plan may result in the temporary or permanent displacement of any occupants of housing in the redevelopment area;

(f) All noncontiguous areas of a redevelopment area:

(1) Are blighted or necessary for effective redevelopment; or

(2) Satisfy the requirements set forth in subsection 4 of NRS 279.519;

(g) Inclusion of any lands, buildings or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the area of which they are a part; and

(h) Adequate provisions have been made for the payment of the principal of and interest on any bonds which may be issued by the agency, if provided for in the redevelopment plan,

the legislative body may adopt, by ordinance, the plan as the official redevelopment plan for the redevelopment area.

2. The ordinance must:

(a) Contain a legal description of the boundaries of the redevelopment area covered by the redevelopment plan;

(b) Set forth the purposes and intent of the legislative body with respect to the redevelopment area;

(c) Designate the approved plan as the official redevelopment plan of the redevelopment area and incorporate it by reference; and

(d) Contain the determinations of the legislative body as set forth in subsection 1.

(Added to NRS by 1959, 663; A 1985, 2076; 2005, 2217)

NRS 279.589 Effect of decision of legislative body.

1. The decision of the legislative body concerning a redevelopment area is final and conclusive, and it is thereafter conclusively presumed that the redevelopment area is a blighted area and that all prior proceedings have been properly and regularly taken.

2. This section does not apply in any action questioning the validity of any redevelopment plan, the adoption or approval of that plan, or any of the findings or determinations of the agency or the legislative body in connection with that plan brought pursuant to NRS 279.609.

(Added to NRS by 1985, 2067)

NRS 279.598 Safeguards required that redevelopment will be carried out; controls. No plan may be approved unless it contains adequate safeguards that the work of redevelopment will be carried out pursuant to the plan and provides for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the legislative body deems necessary to effectuate the purposes of NRS 279.382 to 279.685, inclusive. The establishment of such controls is a public purpose under the provisions of NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 663)

NRS 279.602 Copy of ordinance transmitted to agency. Upon the filing of the ordinance with the clerk or other appropriate officer of the legislative body, a copy of the ordinance shall be sent to the agency, and the agency is vested with the responsibility for carrying out the plan.

(Added to NRS by 1959, 664)

NRS 279.603 Recording of statement regarding redevelopment; transmission of certain information if taxes are to be divided.

1. The legislative body shall record with the county recorder of the county in which the redevelopment area is situated a description of the land within the redevelopment area and a statement that proceedings for the redevelopment of that area have been instituted.

2. Within 30 days after the adoption by the legislative body of a redevelopment plan which contains a provision for the division of taxes pursuant to NRS 279.676, the clerk of the community shall transmit a copy of the description and statement recorded pursuant to subsection 1, a copy of the ordinance adopting the plan and a map or plat indicating the boundaries of the redevelopment area to:

- (a) The auditor and tax assessor of the county in which the redevelopment area is located;
 - (b) The officer who performs the functions of auditor or assessor for any taxing agency which, in levying or collecting its taxes, does not use the county assessment roll or collect its taxes through the county; and
 - (c) The governing body of each of the taxing agencies which levies taxes upon any property in the redevelopment area.
- (Added to NRS by 1985, 2067; A 2001, 1760)

NRS 279.6035 Applicants for building permits must be advised of redevelopment area. After the adoption of a redevelopment plan, all applicants for building permits in the redevelopment area must be advised by the building department of the community that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment area.

(Added to NRS by 1985, 2068)

NRS 279.604 Approval of contracts by legislative body. The legislative body may require the agency to submit any contracts to the legislative body and obtain its approval before entering into such contracts.

(Added to NRS by 1959, 664)

NRS 279.608 Material deviation from or amendment of redevelopment plan: Recommendation to legislative body; hearing; notice; report and recommendations by planning commission; action by legislative body.

1. If, at any time after the adoption of a redevelopment plan by the legislative body, the agency desires to take an action that will constitute a material deviation from the plan or otherwise determines that it would be necessary or desirable to amend the plan, the agency must recommend the amendment of the plan to the legislative body. An amendment may include the addition of one or more areas to any redevelopment area.

2. Before recommending amendment of the plan, the agency shall hold a public hearing on the proposed amendment. Notice of that hearing must be published at least 10 days before the date of hearing in a newspaper of general circulation, printed and published in the community, or, if there is none, in a newspaper selected by the agency. The notice of hearing must include a legal description of the boundaries of the area designated in the plan to be amended and a general statement of the purpose of the amendment.

3. In addition to the notice published pursuant to subsection 2, the agency shall cause a notice of hearing on a proposed amendment to the plan to be sent by mail at least 10 days before the date of the hearing to each owner of real property, as listed in the records of the county assessor, whom the agency determines is likely to be directly affected by the proposed amendment. The notice must:

- (a) Set forth the date, time, place and purpose of the hearing and a physical description of, or a map detailing, the proposed amendment; and
- (b) Contain a brief summary of the intent of the proposed amendment.

4. If after the public hearing, the agency recommends substantial changes in the plan which affect the master or community plan adopted by the planning commission or the legislative body, those changes must be submitted by the agency to the planning commission for its report and recommendation. The planning commission shall give its report and recommendations to the legislative body within 30 days after the agency submitted the changes to the planning commission.

5. After receiving the recommendation of the agency concerning the changes in the plan, the legislative body shall hold a public hearing on the proposed amendment, notice of which must be published in a newspaper in the manner designated for notice of hearing by the agency. If after that hearing the legislative body determines that the amendments in the plan, proposed by the agency, are necessary or desirable, the legislative body shall adopt an ordinance amending the ordinance adopting the plan.

6. As used in this section, "material deviation" means an action that, if taken, would alter significantly one or more of the aspects of a redevelopment plan that are required to be shown in the redevelopment plan pursuant to NRS 279.572. The term includes, without limitation, the vacation of a street that is depicted in the streets and highways plan of the master plan described in paragraph (p) of subsection 1 of NRS 278.160 which has been adopted for the community and the relocation of a public park. The term does not include the vacation of a street that is not depicted in the streets and highways plan of the master plan described in paragraph (p) of subsection 1 of NRS 278.160 which has been adopted for the community.

(Added to NRS by 1959, 664; A 1983, 492; 1985, 2077; 2003, 2344)

NRS 279.609 Limitations on actions to question validity of redevelopment plan or amendment. Any action questioning the validity of:

1. Any redevelopment plan or amendment to a redevelopment plan;
 2. The adoption or approval of that plan or amendment; or
 3. Any of the findings or determinations of the agency or the legislative body in connection with that plan,
- may only be brought after the adoption of the plan or amendment or within 90 days after the date of adoption of the ordinance adopting or amending the plan.

(Added to NRS by 1985, 2068)

FINANCIAL PROVISIONS**NRS 279.610 Appropriations.**

1. At any time after the agency created for any community becomes authorized to transact business and exercise its powers, the legislative body of the community may appropriate to the agency such amounts as the legislative body deems necessary for the administrative expenses and overhead of the agency. The money appropriated may be paid to the agency as a grant to defray the expenses and overhead, or as a loan to be repaid upon such terms and conditions as the legislative body may provide.

2. In addition to the common understanding and usual interpretation of the term, "administrative expense" includes, but is not limited to, expenses of redevelopment planning and dissemination of redeveloped information.

(Added to NRS by 1959, 665)

NRS 279.612 Annual budget.

1. Each agency transacting business and exercising powers under NRS 279.382 to 279.685, inclusive, shall annually submit to the legislative body of the community a proposed budget of its administrative expenses.

2. The legislative body may adopt an annual budget for the administrative expenses of the agency in such amounts as it deems necessary and may provide such conditions and restrictions upon the expenditure or encumbrance of the money appropriated pursuant to the budget as it deems advisable.

(Added to NRS by 1959, 665)

NRS 279.614 Agency's administrative fund. The money appropriated for administrative expenses shall be kept in the treasury of the community in a special fund to be known as the community redevelopment agency administrative fund, and money shall be drawn from the fund to meet the administrative expenses of the agency in substantially the same manner as money is drawn by other agencies and departments of the community.

(Added to NRS by 1959, 665)

NRS 279.616 Money appropriated to defray administrative expenses; agency not department of community; status of agency's employees. The money appropriated by the legislative body to the community redevelopment agency administrative fund is money granted by the community to defray the administrative expenses of the agency which is performing a public function of the community and the grant of money in this manner is not to be construed as making the agency a department of the community or as placing the officers, agents, counsel and employees under civil service of the community.

(Added to NRS by 1959, 665)

NRS 279.618 Agency's reports to legislative body. Each agency shall file with the legislative body a detailed report of all of its transactions, including a statement of all revenues and expenditures, at monthly, quarterly or annual intervals as the legislative body may prescribe.

(Added to NRS by 1959, 665)

NRS 279.619 Limitation on issuing securities or incurring indebtedness.

1. Securities must not be issued and no indebtedness may be incurred in any other manner, by or on behalf of an agency to finance, in whole or in part, a redevelopment plan beyond 20 years after the date on which the redevelopment plan is adopted, except that an agency may enter into leases or incur indebtedness at any time before the termination of the redevelopment plan if the leases are terminated and the indebtedness is fully repaid no later than the termination of the redevelopment plan. The maturity date of any securities which are refunded must not extend beyond the date of termination of the redevelopment plan.

2. Any securities issued by or on behalf of an agency to finance, in whole or in part, redevelopment pursuant to NRS 279.620 to 279.626, inclusive, and 279.634 to 279.672, inclusive, must mature and be fully paid, including any interest thereon, before the termination of the redevelopment plan.

(Added to NRS by 1987, 1683; A 1997, 2559)

NRS 279.620 Revolving fund: Establishment; sources.

1. At any time after it has adopted a resolution declaring that there is need for an agency to function in the community, the legislative body may establish a redevelopment revolving fund to be kept in the treasury of the community.

2. For the purpose of raising money to be deposited in such fund, the legislative body may appropriate money or the community may issue and sell general obligation bonds.

(Added to NRS by 1959, 666)

NRS 279.622 Issuance and sale of general obligation bonds: Purposes; amount authorized.

1. The community may also issue and sell its general obligation bonds for the purpose of providing funds with which to redeem before maturity, retire at maturity, or purchase agency bonds issued under NRS 279.634 to 279.672, inclusive. General obligation bonds issued pursuant to this section may be authorized and issued in a principal amount sufficient to provide funds for the payment of any or all of the following:

(a) The principal amount of agency bonds proposed to be so redeemed, retired or purchased.

(b) The estimated amount of any premiums required to be paid in connection with the redemption or purchase of such agency bonds.

(c) The estimated amount of any due and unpaid interest or accrued interest on such agency bonds which must be paid at the time the same are redeemed, retired or purchased.

(d) The estimated amount of all expenses incidental to or connected with the redemption, retirement or purchase of such

agency bonds and the authorization, issuance and sale of such general obligation bonds.

2. All agency bonds redeemed, retired or purchased with the proceeds of such general obligation bonds shall be cancelled and may not be reissued.

(Added to NRS by 1959, 666)

NRS 279.624 Agreement with respect to amount of general obligation bonds where plan contains provision authorized by NRS 279.676. If the redevelopment plan contains the provision authorized by NRS 279.676, the agency and the legislative body of the community may, either before or after the authorization of general obligation bonds for the purposes permitted by NRS 279.622, enter into an agreement that the principal amount of any such general obligation bonds sold for such purposes, together with all interest which the community may pay thereon, shall constitute a loan by the community to the agency for the purpose of refinancing the redevelopment project, and that, subject to any prior pledge of or claim upon the moneys in the special fund provided for in NRS 279.676, the moneys accruing to such special fund are irrevocably pledged to the repayment of such loan until there has been repaid to the community from time to time from such special fund the principal amount of such general obligation bonds plus all interest which the community may pay thereon, less such part, if any, of the proceeds of such general obligation bonds which were not used for such purposes, and less any premiums and accrued interest received by the community upon the sale of such general obligation bonds.

(Added to NRS by 1959, 666)

NRS 279.625 Special election may be held only if emergency exists.

1. For the purposes of NRS 279.626 and 279.636, a special election may be held only if the legislative body of the community determines, by a unanimous vote, that an emergency exists.

2. The determination made by the legislative body is conclusive unless it is shown that the legislative body acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the legislative body must be commenced within 15 days after the legislative body's determination is final.

3. As used in this section, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the legislative body to prevent or mitigate a substantial financial loss to the community or to enable the legislative body to provide an essential service to the residents of the community.

(Added to NRS by 1993, 1048)

NRS 279.626 Issuance of general obligation bonds: Manner; limitations; exceeding limitation. Except as otherwise provided in NRS 279.382 to 279.685, inclusive, any general obligation bonds issued by any community pursuant to NRS 279.620 to 279.632, inclusive, must be authorized and issued in the manner and within the limitations prescribed by law or the charter of the community for the issuance and authorization of the bonds for public purposes generally. Irrespective of any limitation as to the amount of general obligation bonds which may be issued, a community may issue the bonds for the purposes prescribed in NRS 279.620 to 279.632, inclusive, in excess of the limitation, in such amount as may be authorized by the voters of the community at any special, primary or general election if the community is a county, and at any special election or primary or general municipal election or primary or general state election, if the community is a city.

(Added to NRS by 1959, 666; A 1993, 1051)

NRS 279.628 Expenditures from revolving fund.

1. By resolution of the legislative body adopted by a majority vote any money in the redevelopment revolving fund may be expended from time to time for:

(a) The acquisition of real property in any redevelopment area.

(b) The clearance, aiding in relocation of occupants of the site and preparation of any redevelopment area for redevelopment.

2. By resolution of the legislative body adopted by a two-thirds vote, any money in the redevelopment revolving fund may be paid to the agency, upon such terms and conditions as the legislative body may prescribe for any of the following purposes:

(a) Deposit in a trust fund to be expended for the acquisition of real property in any redevelopment area.

(b) The clearance of any redevelopment area for redevelopment.

(c) Any expenses necessary or incidental to the carrying out of a redevelopment plan which has been adopted by the legislative body.

(Added to NRS by 1959, 667; A 1985, 2078)

NRS 279.630 Sale or lease of property acquired from revolving fund: Minimum amount; redeposit of proceeds; approval of sale or lease.

1. No real or personal property, or any interest therein, acquired or constructed in whole or in part with money from the redevelopment revolving fund may be sold or leased for an amount less than its fair market value in accordance with any covenants and conditions governing that sale or lease, unless the agency finds that a sale or lease for a lesser consideration is necessary to effectuate the purposes of the redevelopment plan.

2. All money received by the agency from the sale, lease or encumbering of property acquired with money from the redevelopment revolving fund in excess of the money required to repay the loans and interest thereon authorized by NRS 279.382 to 279.685, inclusive, must be redeposited in the fund.

3. If any property acquired in whole or in part from the redevelopment revolving fund is to be sold or leased by the agency, the sale or lease must be first approved by the legislative body by resolution adopted after public hearing. Notice of the time and place of the hearing must be published once in a newspaper of the community at least 1 week before the hearing. The resolution must be adopted by a majority vote unless the legislative body has provided by ordinance for a two-thirds vote for such purpose.

(Added to NRS by 1959, 667; A 1981, 763; 1985, 2078)

NRS 279.632 Abolition of revolving fund; transfer of money. The legislative body of any community may abolish the redevelopment revolving fund whenever it finds that the purposes for which it was established have been accomplished. At the time of abolishing the fund, the legislative body shall transfer all money in it to the general obligation bond redemption fund and provide that all money thereafter to be deposited or redeposited in the redevelopment revolving fund shall be deposited in the general obligation bond redemption fund. Any surplus existing in the general obligation bond redemption fund after payment of principal and interest shall be transferred to the general fund of the community.

(Added to NRS by 1959, 667)

NRS 279.634 Bonds: Issuance for corporate or refunding purposes. From time to time an agency may issue bonds for any of its corporate purposes. An agency may also issue refunding bonds for the purpose of paying or retiring bonds previously issued by it.

(Added to NRS by 1959, 667)

NRS 279.636 Types of bonds which agency may issue; additional security for bonds.

1. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable:

(a) Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with those proceeds together with financial assistance from the State or Federal Government in aid of the projects.

(b) Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds.

(c) In whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of NRS 279.674 to 279.685, inclusive.

(d) From its revenues generally.

(e) From any contributions or other financial assistance from the State or Federal Government.

(f) By any combination of these methods.

2. Any of the bonds may be additionally secured by a pledge of any revenue or by an encumbrance by mortgage, deed of trust or otherwise of any redevelopment project or other property of the agency or by a pledge of the taxes referred to in subsection 1.

3. Amounts payable in any manner permitted by this section may be additionally secured by a pledge of the full faith and credit of the community whose legislative body has declared the need for the agency to function. Such additional security may only be provided upon the approval of the majority of the voters voting on the question at a primary or general election or a special election called for that purpose. In its proposal to its voters the governing body shall define the area to be redeveloped, the primary source or sources of revenue first to be employed to retire the bonds and the maximum sum for which the city may pledge its full faith and credit in connection with the bonds to be issued for the project.

(Added to NRS by 1959, 668; A 1981, 314; 1993, 1052)

NRS 279.638 Liability on bonds; limitation of indebtedness.

1. Neither the members of an agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

2. Unless the full faith and credit of a community is pledged, the bonds and other obligations of any agency are not a debt of the community, the State or any of its political subdivisions and neither the community, the State nor any of its political subdivisions is liable on them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the agency; and such bonds and other obligations shall so state on their face. Unless the full faith and credit of a community is pledged, the bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

(Added to NRS by 1959, 668; A 1981, 315)

NRS 279.640 Authorization of bonds; sale.

1. The agency may authorize bonds by resolution. The resolution, trust indenture or mortgage must provide for:

(a) The issuance of the bonds in one or more series.

(b) The date the bonds will bear.

(c) The maturity dates of the bonds.

(d) The interest rate.

(e) The denomination of the bonds.

(f) Their form, either coupon or registered.

(g) The conversion or registration privileges carried by the bonds.

(h) The rank or priority of the bonds.

(i) The manner of their execution.

(j) The medium of payment.

(k) The place of payment.

(l) The terms of redemption with or without premium to which the bonds are subject.

2. The bonds may be sold at par, above par or below par in accordance with the provisions of NRS 350.2012 at a:

(a) Public sale held after notice is published at least once at least 5 days before the sale in a newspaper of general circulation published in the community, or, if there is none, in a newspaper of general circulation published in the county; or

(b) Private sale without any advertisement or public notice.

(Added to NRS by 1959, 668; A 1993, 260; 1995, 155)

NRS 279.642 Validity of bonds: Termination of office. If any agency member or officer whose signature appears on bonds or coupons ceases to be such member or officer before delivery of the bonds, his signature is as effective as if he had remained in office.

(Added to NRS by 1959, 669)

NRS 279.644 Negotiability of bonds. Bonds issued pursuant to NRS 279.382 to 279.685, inclusive, are fully negotiable.

(Added to NRS by 1959, 669)

NRS 279.646 Validity of bonds: Presumptions. In any action or proceeding involving the validity or enforceability of any bonds or their security, any such bond reciting in substance that it has been issued by the agency to aid in financing a redevelopment project is conclusively deemed to have been issued for a redevelopment project and the project is conclusively deemed to have been planned, located and constructed pursuant to NRS 279.382 to 279.685, inclusive.

(Added to NRS by 1959, 669)

NRS 279.648 Issuance of bonds: Pledge of revenues; encumbrances of property. An agency may:

1. Pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

2. Encumber by mortgage, deed of trust or otherwise all or any part of its real or personal property, then owned or thereafter acquired.

(Added to NRS by 1959, 669)

NRS 279.650 Issuance of bonds: Limitations on further indebtedness and transactions. An agency may covenant:

1. Against pledging all or any part of its rents, fees and revenues.

2. Against encumbering all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence.

3. Against permitting any lien on such revenues or property.

4. With respect to limitations on its right to sell, lease or otherwise dispose of all or part of any redevelopment project.

5. As to what other, or additional debts or obligations it may incur.

(Added to NRS by 1959, 669)

NRS 279.652 Issuance of bonds: Use of proceeds; lost or destroyed bonds; extension of time for payment; redemption. An agency may:

1. Covenant as to the bonds to be issued, as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the bond proceeds.

2. Provide for the replacement of lost, destroyed or mutilated bonds.

3. Covenant against extending the time for the payment of its bonds or interest.

4. Redeem the bonds, covenant for their redemption, and provide the redemption terms and conditions.

(Added to NRS by 1959, 669)

NRS 279.654 Issuance of bonds: Rentals and revenues; special funds. An agency may:

1. Covenant as to the consideration or rents and fees to be charged in the sale or lease of a redevelopment project, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to their use and disposition.

2. Create or authorize the creation of special funds for money held for redevelopment or other costs, debt service, reserves or other purposes, and covenant as to the use and disposition of such money.

(Added to NRS by 1959, 669)

NRS 279.656 Issuance of bonds: Abrogation or amendment of contracts with bondholders. An agency may prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated; the amount of bonds whose holders are required to consent thereto, and the manner in which such consent may be given.

(Added to NRS by 1959, 669)

NRS 279.658 Issuance of bonds: Use and maintenance of property; insurance. An agency may covenant:

1. As to the use of any or all of its real or personal property.

2. As to the maintenance of its real and personal property, its replacement, the insurance to be carried on it, and the use and disposition of insurance money.

(Added to NRS by 1959, 669)

NRS 279.660 Issuance of bonds: Effects of breach of covenants; waiver. An agency may:

1. Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.

2. Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(Added to NRS by 1959, 670)

NRS 279.662 Bondholders' trustee: Powers and duties. An agency may:

1. Vest in a trustee or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds.

2. Vest in a trustee the right, in the event of a default by the agency, to take possession of all or part of any redevelopment project, to collect the rents and revenues arising from it and to dispose of such money pursuant to the agreement of the agency with the trustee.

3. Provide for the powers and duties of a trustee and limit his liabilities.

4. Provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds.
(Added to NRS by 1959, 670)

NRS 279.664 Power of agency to make additional covenants; additional powers. An agency may:

1. Make covenants other than and in addition to the covenants expressly authorized of like or different character.
2. Make such covenants and do any and all such acts and things as may be necessary, convenient or desirable to secure its bonds, or, except as otherwise provided in NRS 279.382 to 279.685, inclusive, as will tend to make the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated in NRS 279.382 to 279.685, inclusive.
(Added to NRS by 1959, 670)

NRS 279.666 Rights of agency's obligee. In addition to all other rights which may be conferred on him, and subject only to any contractual restrictions binding upon him, an obligee may:

1. By mandamus, suit, action or proceeding, compel the agency and its members, officers, agents or employees to perform each and every term, provision and covenant contained in any contract of the agency with or for the benefit of the obligee, and require the carrying out of any or all such covenants and agreements of the agency and the fulfillment of all duties imposed upon it by NRS 279.382 to 279.685, inclusive.
2. By suit, action or proceeding in equity, enjoin any acts or things which may be unlawful, or the violation of any of the rights of the obligee.
(Added to NRS by 1959, 670)

NRS 279.668 Rights of agency's obligee upon default. By its resolution, trust indenture, mortgage, lease or other contract, an agency may confer upon any obligee holding or representing a specified amount in bonds, the following rights upon the happening of an event or default prescribed in such resolution or instrument, to be exercised by suit, action or proceeding in any court of competent jurisdiction:

1. To cause possession of all or part of any redevelopment project to be surrendered to any such obligee.
2. To obtain the appointment of a receiver of all or part of any redevelopment project of the agency and of the rents and profits from it. If a receiver is appointed, he may enter and take possession of the redevelopment project or any part of it, operate and maintain it, collect and receive all fees, rents, revenues or other charges thereafter arising from it, and shall keep such money in separate accounts and apply it pursuant to the obligations of the agency as the court shall direct.
3. To require the agency and its members and employees to account as if it and they were the trustees of an express trust.
(Added to NRS by 1959, 670)

NRS 279.670 Bonds, interest and income exempted from taxes; exceptions.

1. Except as otherwise provided in subsection 2, bonds issued pursuant to the provisions of NRS 279.382 to 279.685, inclusive, are issued for an essential public and governmental purpose, and together with interest on them and income from them are exempt from all taxes.
2. The provisions of subsection 1 do not apply to the tax on estates imposed pursuant to the provisions of chapter 375A of NRS or the tax on generation-skipping transfers imposed pursuant to the provisions of chapter 375B of NRS.
(Added to NRS by 1959, 671; A 1989, 2107; 1991, 1712)

NRS 279.672 Bonds of agency as legal investments.

1. Notwithstanding any restrictions on investments contained in any laws, the State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, money or other funds belonging to them or within their control in any bonds or other obligations issued by an agency. Such bonds and other obligations are authorized security for all public deposits.
2. It is one of the purposes of NRS 279.382 to 279.685, inclusive, to authorize any persons, firms, corporations, associations, political subdivisions, districts or other public agencies and officers, public or private, to use any funds owned or controlled by them, including, but not limited to, sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations. NRS 279.382 to 279.685, inclusive, do not relieve any person, firm or corporation from any duty of exercising reasonable care in selecting securities.
(Added to NRS by 1959, 671; A 1983, 129)

NRS 279.674 "Taxes" defined. As used in NRS 279.674 to 279.685, inclusive, the word "taxes" shall include, but without limitation, all levies on an ad valorem basis upon land or real property.
(Added to NRS by 1959, 671)

NRS 279.676 Allocation, division and disposition of money from taxes; limitation on revenue; repayment of bond or other indebtedness.

1. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in the redevelopment area each year by or for the benefit of the State, any city, county, district or other public corporation, after the effective date of the ordinance approving the redevelopment plan, must be divided as follows:
 - (a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment area as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for such taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing

agency or agencies which did not include the territory in a redevelopment area on the effective date of the ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the county last equalized on the effective date of the ordinance must be used in determining the assessed valuation of the taxable property in the redevelopment area on the effective date. If property which was shown on the assessment roll used to determine the amount of taxes allocated to the taxing agencies is transferred to the State and becomes exempt from taxation, the assessed valuation of the exempt property as shown on the assessment roll last equalized before the date on which the property was transferred to the State must be subtracted from the assessed valuation used to determine the amount of revenue allocated to the taxing agencies.

(b) Except as otherwise provided in paragraphs (c) and (d) and NRS 540A.265, that portion of the levied taxes each year in excess of the amount set forth in paragraph (a) must be allocated to and when collected must be paid into a special fund of the redevelopment agency to pay the costs of redevelopment and to pay the principal of and interest on loans, money advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, incurred by the redevelopment agency to finance or refinance, in whole or in part, redevelopment. Unless the total assessed valuation of the taxable property in a redevelopment area exceeds the total assessed value of the taxable property in the redevelopment area as shown by the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan, less the assessed valuation of any exempt property subtracted pursuant to paragraph (a), all of the taxes levied and collected upon the taxable property in the redevelopment area must be paid into the funds of the respective taxing agencies. When the redevelopment plan is terminated pursuant to the provisions of NRS 279.438 and 279.439 and all loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the redevelopment area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

(c) That portion of the taxes in excess of the amount set forth in paragraph (a) that is attributable to a tax rate levied by a taxing agency to produce revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness that was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to and when collected must be paid into the debt service fund of that taxing agency.

(d) That portion of the taxes in excess of the amount set forth in paragraph (a) that is attributable to a new or increased tax rate levied by a taxing agency and was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to and when collected must be paid into the appropriate fund of the taxing agency.

2. Except as otherwise provided in subsection 3, in any fiscal year, the total revenue paid to a redevelopment agency must not exceed:

(a) In a municipality whose population is 100,000 or more, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent of the total assessed valuation of the municipality.

(b) In a municipality whose population is 25,000 or more but less than 100,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the municipality.

(c) In a municipality whose population is less than 25,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 20 percent of the total assessed valuation of the municipality.

↳ If the revenue paid to a redevelopment agency must be limited pursuant to paragraph (a), (b) or (c) and the redevelopment agency has more than one redevelopment area, the redevelopment agency shall determine the allocation to each area. Any revenue which would be allocated to a redevelopment agency but for the provisions of this section must be paid into the funds of the respective taxing agencies.

3. The taxing agencies shall continue to pay to a redevelopment agency any amount which was being paid before July 1, 1987, and in anticipation of which the agency became obligated before July 1, 1987, to repay any bond, loan, money advanced or any other indebtedness, whether funded, refunded, assumed or otherwise incurred.

4. For the purposes of this section, the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan is the assessment roll in existence on March 15 immediately preceding the effective date of the ordinance.

(Added to NRS by 1959, 671; A 1981, 315, 763, 764; 1983, 493; 1987, 1684; 1989, 1105, 1747; 1991, 1044; 1993, 258; 1995, 1460; 1997, 1339, 2559, 2571; 2003, 528; 2003, 20th Special Session, 288)

NRS 279.678 Assessment and taxation of leased redeveloped property; provision in lease for lessee to pay taxes.

Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of his or its leasehold interest.

(Added to NRS by 1959, 672)

NRS 279.680 Pledging portion of taxes for payment of principal and interest on loans, advances or indebtedness.

Except as otherwise provided in NRS 279.685, in any redevelopment plan, or in the proceedings for the advance of money, or the making of loans, or the incurring of any indebtedness, whether funded, refunded, assumed or otherwise, by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph (b) of subsection 1 of NRS 279.676 may be irrevocably pledged for the payment of the principal of and interest on those loans, advances or indebtedness.

(Added to NRS by 1959, 672; A 1981, 765; 1999, 3614)

NRS 279.683 Faith of State pledged not to impair securities. The faith of the State is hereby pledged that NRS 279.382 to 279.685, inclusive, any law supplemental or otherwise pertaining thereto, and any other act concerning the bonds or other securities, taxes or the pledged revenues, or any combination of such securities, such taxes and such revenues will not be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds or securities until all such bonds and securities have been discharged in full or provision for their payment and redemption has been made fully, including, without limitation, the known minimum yield from the investment or

reinvestment of money pledged therefor in federal securities.

(Added to NRS by 1999, 1090)

NRS 279.685 Certain cities to set aside revenue for low-income housing; limitations.

1. Except as otherwise provided in this section, an agency of a city whose population is 300,000 or more that receives revenue from taxes pursuant to paragraph (b) of subsection 1 of NRS 279.676 shall set aside not less than 15 percent of that revenue received on or before October 1, 1999, and 18 percent of that revenue received after October 1, 1999, to increase, improve and preserve the number of dwelling units in the community for low-income households.

2. The obligation of an agency to set aside not less than 15 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before July 1, 1993, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after July 1, 1993, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

3. The obligation of an agency to set aside an additional 3 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before October 1, 1999, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after October 1, 1999, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

4. The agency may expend or otherwise commit money for the purposes of subsection 1 outside the boundaries of the redevelopment area.

(Added to NRS by 1993, 1328; A 1999, 3615; 2001, 1972)