

SUMMARY: An ordinance creating the Washoe County Stadium Authority.

BILL NO. 1667

ORDINANCE NO. 1486

AN ORDINANCE AMENDING CHAPTER 5 OF THE WASHOE COUNTY CODE TO ESTABLISH THE WASHOE COUNTY STADIUM AUTHORITY AND PROVIDE FOR THE MEMBERSHIP, VOTING STRUCTURE, MEETING SCHEDULE AND POWERS AND DUTIES OF ITS BOARD OF DIRECTORS IN THE OPERATIONS OF THE MINOR LEAGUE BASEBALL STADIUM PROJECT; PROVIDING AUTHORITY FOR THE IMPOSITION OF A SURCHARGE ON ITEMS AND SERVICES RELATED TO THE STADIUM PROJECT; AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 5 of the Washoe County Code is hereby amended by adding thereto the provisions set forth in section 3, inclusive, of this ordinance with sections as follows:

- 5.500 Definitions.
- 5.505 Stadium Authority: Creation; name; members.
- 5.510 Terms of office; vacancies; compensation.
- 5.515 Officers; term.
- 5.520 Meetings; quorum.
- 5.525 Powers and duties of the Authority
- 5.530 Surcharge.

SECTION 2. NRS 244A.830 provides that a board of county commissioners that adopts an ordinance imposing a fee pursuant to NRS 244A.810 shall create a stadium authority to assist in the operation of a minor league baseball stadium project.

SECTION 3. Chapter 5 of the Washoe County Code is hereby amended by adding thereto the following new sections which read as follows:

Washoe County Stadium Authority

5.500 Definitions.

As used in sections 5.500 to 5.530, inclusive:

1. "Board" means the Board of Directors of the Stadium Authority.
2. "Director" means a director of Stadium Authority Board of Directors.
3. "Stadium Authority" or "Authority" means the Washoe County Stadium Authority.

5.505 Stadium authority: Creation; name.

1. Pursuant to the power granted the board of county commissioners by NRS 244A.800 to 244A.830, inclusive, there is hereby created a stadium authority to be known as the Washoe County Stadium Authority.

2. The stadium authority is governed by a board of directors that consists of:

(a) Two members of the board of county commissioners appointed by that board;

(b) Three members from the governing body of the city in which the minor league baseball stadium is located appointed by that governing body; and

(c) Two persons appointed by the owner of the minor league baseball team that plays its home games in the stadium.

3. The Directors serve at the pleasure of the entity that appointed them to serve in that capacity.

5.510 Terms of office; vacancies; compensation.

1. Directors are appointed for terms of 4 years.

2. The terms shall be staggered in such manner as to provide that no more than three vacancies will occur in any year.

3. Directors shall hold office until their successors are appointed and qualified.

4. Any vacancy in the office of Director shall be filled for the unexpired term in the same manner as original appointments.

5. Directors shall serve without compensation.

5.515 Officers; term.

1. The Board shall elect a chairperson, vice chairperson, and such other officers as are necessary during the Board's first regularly scheduled meeting of the year, and annually thereafter at the first regularly scheduled meeting of the year.

2. The term of office for officers of the Board is 1 year.

5.520 Meetings; quorum.

1. The Board shall hold meetings as business requires at the call of the chairperson, or at the request of two or members of the Board. The Board shall meet at least twice each year.

2. Four directors constitute a quorum for the transaction of business of the board and action may be taken by a majority of the directors of the present quorum.

3. The meetings of the board shall be conducted in compliance with the Nevada Open Meeting Law.

5.525 Powers and duties of the Authority.

The Stadium Authority:

(a) shall assist in the operation of the minor league baseball stadium project; and

(b) may enter into a agreements with government and private entities that sets forth the specific rights, obligations and duties of the stadium authority regarding those operations.

5.530 Surcharge.

Pursuant to NRS 244A.830 the Stadium Authority acting through the Board may recommend to the governing body of the city in which the minor league baseball stadium is located that the governing body impose a surcharge on items or services related to the minor league baseball stadium project. The surcharge must be approved by a two-thirds majority of the governing body. Any proceeds from a surcharge imposed pursuant to this section must be paid to and collected by the city and must be used solely to pay the costs to acquire, lease, improve, equip, operate and maintain the minor league baseball stadium project, or to pay the principal of, interest on or other payments due with respect to bonds issued by the city to pay such costs, including bonds issued to refund bonds issued to pay such costs, or any combination thereof. The proceeds of the surcharge must not be transferred to any other fund or account or used for any other purpose.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 10th day of April, 2012.

Proposed by Commissioner Jung.

Passed on the 24th day of April, 2012.

Vote:

Ayes: LARKIN, Jung, Weber, Humke

Nays:

Absent: Bretermitz



Chairman

Washoe County Commission



This ordinance shall be in force and effect from and after the 4th day of May, 2012.

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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **04/27/2012 - 05/04/2012**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____

Gina Briles

MAY 4 2012



Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO.1486 BILL NO. 1667 An Ordinance amending Chapter 5 of the Washoe County Code to establish the Washoe County Stadium Authority and provide for the membership, voting structure, meeting schedule and powers and duties of its board of directors in the operations of the minor league baseball stadium project; providing authority for the imposition of a surcharge on items and services related to the stadium project; and other matters properly related thereto. (Bill No. 1667) NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Courthouse, 75 Court Street, Reno, Washoe County, Nevada; and that the ordinance was proposed on April 10, 2012 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on April 24, 2012 by the following vote of the Board of County Commissioners: Those Voting Aye: Robert Larkin Bonnie Weber David Humke Kitty Jung Those Voting Nay: None Those Absent :John Breternitz This ordinance shall be in full force and effect from and after the date of the second publication of such ordinance by its title only on May 4, 2012. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be

published by title only. DATED: April 25, 2012. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 778237 April 27, May 4, 2012

**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO.1486
BILL NO. 1667**

An Ordinance amending Chapter 5 of the Washoe County Code to establish the Washoe County Stadium Authority and provide for the membership, voting structure, meeting schedule and powers and duties of its board of directors in the operations of the minor league baseball stadium project; providing authority for the imposition of a surcharge on items and services related to the stadium project; and other matters properly related thereto. (Bill No. 1667)

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Courthouse, 75 Court Street, Reno, Washoe County, Nevada; and that the ordinance was proposed on April 10, 2012 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on April 24, 2012 by the following vote of the Board of County Commissioners:

Those Voting Aye:

Robert Larkin
Bonnie Weber
David Humke
Kitty Jung

Those Voting Nay: None

Those Absent :John Breternitz

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DATED: April 25, 2012.

AMY HARVEY, Washoe County Clerk and
Clerk of the Board of County Commissioners
No. 778237 April 27, May 4, 2012