

ORDINANCE NO. 2016-1456

SUMMARY

Ordinance 2016-1456 approving and adopting the Redevelopment Plan for the Douglas County Redevelopment Area No. 2, and providing for other properly related matters.

TITLE

Ordinance 2016-1456 approving and adopting the Redevelopment Plan for the Douglas County Redevelopment Area No. 2, and providing for other properly related matters.

The Board of County Commissioners of the County of Douglas, State of Nevada, does ordain as follows:

WHEREAS, the Board of County Commissioners of Douglas County (the "Board of Commissioners") has received from the Douglas County Redevelopment Agency (the "Agency") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Douglas County Redevelopment Area No. 2 (the "Redevelopment Area"), as described in the "Legal Description of the Redevelopment Area" both attached hereto and incorporated herein by reference, a copy of which is on file at the office of the Agency at 1594 Esmeralda Avenue, Minden, Nevada, 89423, and at the Office of the County Clerk at 1616 8th Street, Minden, Nevada, 89423 together with the Report of the Agency to the Board of Commissioners on the proposed Redevelopment Plan, including: (1) the reasons for the selection of the Redevelopment Area; (2) a description of the physical, social, and economic conditions existing in the Redevelopment Area; (3) a description of the proposed method of financing the Redevelopment Plan in sufficient detail so that the Board of Commissioners may determine the economic feasibility of the Redevelopment Plan; (4) a plan for the relocation of persons and families who may be temporarily or permanently displaced from housing facilities in the Redevelopment Area; (5) an analysis of the Preliminary Plan for the Redevelopment Area; and (6) the Report and Recommendation of the Planning Commission of Douglas County (the "Planning Commission"); and

WHEREAS, on December 8, 2015, the Planning Commission determined that the Redevelopment Plan conforms to the Master Plan of the County of Douglas and has unanimously recommended approval of the Redevelopment Plan; and

WHEREAS, the Board of Commissioners held a public hearing at the Tahoe Transportation Center, 169 Highway 50, Stateline, Nevada on February 18, 2016, to consider adoption of the Redevelopment Plan; and

WHEREAS, a notice of said hearing was duly and regularly published in the Record Courier, a newspaper of general circulation in Douglas County once a week for four consecutive weeks prior to the date of said hearing.

Section 1 – As particularly set forth in the Report of the Agency to the Board of Commissioners, the following findings and determinations are made by the Board of County Commissioners concerning the Redevelopment Area and Redevelopment Plan:

- (1) The Redevelopment Area is characterized and suffers from a combination of blighting physical and economic conditions, including: buildings and structures that are unfit or conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of defective design and character of physical construction, inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities, and aged obsolescence, deterioration, dilapidation or disuse resulting from faulty planning; the subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development; the existence of inadequate streets, open spaces and utilities; a prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered or needed; and/or a growing or total lack of proper utilization of some parts of the area resulting in a stagnant and unproductive condition of land that is potential useful and valuable for contributing to the public health, safety, and welfare.
- (2) The Redevelopment Plan will redevelop the Redevelopment Area in conformity with the Nevada Community Redevelopment Law and in the interests of the peace, health, safety and welfare of the community. This finding is based upon the fact that redevelopment of the Redevelopment Area will implement the objectives of the Community Redevelopment Law by: aiding in the elimination and correction of the conditions of blight; providing for planning, development, redesign, clearance, reconstruction, or rehabilitation of properties that need improvement(s); providing additional employment opportunities; and providing for higher economic utilization of potentially useful land.
- (3) Adequate provisions have been made for the payment of principal and interest on any bonds that may be issued by the Agency. This finding is based on the facts, as more particularly set forth in the Report of the Agency to the Board of Commissioners, and requirements of the Redevelopment Plan that under the Redevelopment Plan the Agency will be authorized to seek potential financing resources, including property tax increment funding; that the nature

and timing of public redevelopment assistance will depend on the amount and availability of available financing resources, including property tax increments generated by new investment in the Redevelopment Area; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

- (4) The Redevelopment Plan conforms to the Master Plan of the County of Douglas. This finding is based upon the goals established for the Redevelopment Area in Douglas County Planning Documents, and the unanimous finding of the Planning Commission that the Redevelopment Plan conforms to the Master Plan.
- (5) The condemnation of real property, if any, as provided for in the Redevelopment Plan, may be necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided for by Nevada law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out and to prevent the recurrence of blight.
- (6) If temporary or permanent displacement of occupants of housing in the Redevelopment Area is necessary in accordance with carrying out the objectives of the Redevelopment Plan, 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 the displacement in accordance with Nevada law.
- (7) All noncontiguous areas of the Redevelopment Area are either blighted or necessary for effective redevelopment of the Redevelopment Area. This finding is based upon the fact that the boundaries of the Redevelopment Area were chosen to include lands that were under or improperly utilized because of blighting influences, or affected by the existence of blighting influences, or have land uses that significantly contribute to blighting conditions, or which are necessary to accomplish the objectives and benefits of the Redevelopment Plan.
- (8) Inclusion of any lands, buildings, or improvements in the Redevelopment Area which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the entire Redevelopment Area of which they are a part.

Section 2 – In order to implement and facility the effectuation of the Redevelopment Plan, certain official actions must be taken by the Board of Commissioners; accordingly, the Board of Commissioners hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) directs the various officials, departments, boards, and

agencies of the County of Douglas having administrative responsibilities in the Redevelopment Area likewise to cooperate to such ends and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; (c) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Redevelopment Plan; and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the County under the provisions of the Redevelopment Plan.

Section 3 – That certain document entitled “Douglas County, Nevada – Redevelopment Plan – Redevelopment Area No. 2” a copy of which is on file in the office of the County Clerk and attached hereto, is hereby incorporated by reference herein and designated as the official Redevelopment Plan for Redevelopment Area No. 2.

Section 4 – The Douglas County Building Department is hereby directed after the effective date of this Ordinance to advise all applicants for building permits within the Redevelopment Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment area.

Section 5 – The County Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan.

Section 6 – The County Clerk is hereby directed to record with the County Recorder of Douglas County a notice of the approval and adoption of the Redevelopment Plan pursuant to this Ordinance, containing a description of the land within the Redevelopment Area and a statement that proceedings for the redevelopment of the Redevelopment Area have been instituted under the Nevada Community Redevelopment Law.

Section 7 – The County Clerk is hereby directed to transmit a copy of the description and statement recorded pursuant to Section 6 of this Ordinance, a copy of this Ordinance, and a map indicating the boundaries of the Redevelopment Area, to the auditor and Assessor of Douglas County; to the officer who performs the functions of auditor or assessor for any taxing agency that, in levying or collecting its taxes, does not use the County assessment roll or does not collect its taxes through the County; and to the governing body of each of the taxing agencies that receives taxes from the property in the Redevelopment Area within twenty (20) days following adoption of this Ordinance.

Section 8 – The County Clerk is hereby directed to certify the passage of this Ordinance and to cause the same to be published once a week for two weeks in a newspaper of general circulation in the County of Douglas.

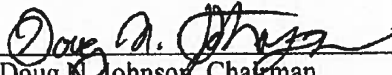
Section 9 – If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Board of Commissioners hereby declares that it would have passed the remainder of this

Ordinance and/or approved the remainder of the Redevelopment Plan if such portion thereof had been deleted.

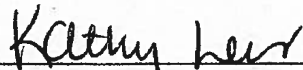
Section 10 – This Ordinance shall be in fully force and effect immediately upon its adoption by the Board of Commissioners.

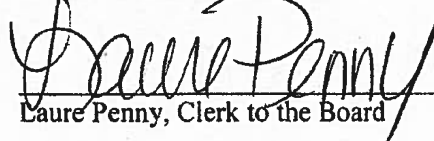
Adopted this 18th day of February, 2016, by the following vote:

Vote:	Ayes: Commissioners	<u>Doug N. Johnson</u>
		<u>Nancy McDermid</u>
		<u>Greg Lynn</u>
		<u>Barry Penzel</u>
		<u>Steve Thaler</u>
	Nays: Commissioners	<u>None</u>
	Absent: Commissioners	<u>None</u>


Doug N. Johnson, Chairman
Douglas County Board of Commissioners

Attest:


Kathy Lewis, Douglas County Clerk


Laure Penny, Clerk to the Board

This Ordinance is effective on the 3rd day of March, 2016.