Chapter 263

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Convention Facilities

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Note: 263.010, 263.020, 263.030, 263.040, 263.050, 263.060, 263.070, 263.080, 263.090, 263.100, 263.110, 263.120 and 263.130, relating to artesian well districts, were repealed by 1957 c.38 §1.

263.210 Creation of sports and convention facilities commission by ballot measure. The governing body of a county may submit to a vote by the electors of that county a proposition for the creation of a sports and convention facilities commission. [1985 c.654 §1]

263.220 Contents of ballot measure; commission established as municipal corporation. (1) The ballot measure shall specify:

(a) The name of the commission, which shall be "The Multi-Event and Convention Facilities Commission of _____ County, Oregon" or other similar distinctive name.

(b) The number of commissioners, which shall be nine.

(2) Upon the approval by the voters of such a ballot measure in a county-wide election, the commission shall be deemed established as a municipal corporation of this state and as a body corporate and politic exercising public powers. [1985 c.654 §2]

263.230 Board of directors to manage commission; meetings; vacancies; employees and agents. (1) The commission shall be managed and controlled by a board of directors consisting of all nine commissioners, who shall be appointed by the governing body of a county. The governing body of a county shall appoint commissioners so as to assure fair representation of the various geographic areas of the county by the board of directors. The directors may be removed for cause or at the will of the governing body of a county.

(2) Immediately after January 15 of each year, the board shall hold its annual meeting. It shall elect one of the members president, another vice president, another treasurer and another secretary to perform the duties of those respective offices. The officers serve from the date of their election until their successors are elected and qualified.

(3) The board of directors shall adopt and may amend rules for calling and conducting its meetings and carrying out its business and may adopt an official seal. All decisions of the board shall be by motion or resolution and shall be recorded in the board's minute book which shall be a public record. A majority of the board shall constitute a quorum for the transaction of business and a majority of the board shall be sufficient for the passage of any such motion or resolution.

(4) If a vacancy occurs on the board, the governing body of the county shall appoint a new member, who shall serve for the remainder of the vacated term.

(5) The board may employ such employees and agents as it deems appropriate and provide for their compensation. [1985 c.654 §3]

263.240 General powers of commission. A commission shall have all powers necessary to accomplish the purpose of providing sports and convention facilities for the people of Oregon including, without limitation, the power:

(1) To sue and be sued in its own name.

(2) To acquire by purchase, construction, exchange, gift, lease, lease-purchase, or otherwise, and to improve, extend, maintain, manage, operate, equip and furnish sports and convention facilities located within the corporate limits of the county in which the commission is created.

(3) To lease such sports and convention facilities to any private corporations which are operating or propose to operate a sports and convention facility upon such terms and conditions as the board of directors deems appropriate, to charge and collect rents and to terminate any such lease upon default of the lessee.

(4) To enter into options and agreements for the renewal or extension of such leases of such sports and convention facilities or for the conveyance of such sports and convention facilities.

(5) To lease, license or enter into agreements relating to the use of such sports and convention facilities and may fix, alter, charge and collect rentals, fees and charges for the use, occupancy and availability of all or a part of such sports and convention facilities.

(6) To sell, exchange, donate and convey any or all of its sports and convention facilities or other assets.

(7) To mortgage and pledge its assets, or any portion thereof, whether then owned or thereafter acquired, to pledge the revenues and receipts from such assets, to acquire, hold and dispose of mortgages and other similar documents relating to sports and convention facilities, and to arrange and provide for guaranty and other security agreements therefor.

(8) To enter into contracts, leases and other undertakings in its own name.

(9) To adopt and amend resolutions. [1985 c.654 §4]

263.250 Power to lease or contract for use of facilities; use of revenues to pay bonds. In addition to the powers granted under ORS 263.240, the commission shall also have the power to lease to any municipality

or person, or to contract for the use or operation by any municipality or person, of all or any part of the facilities authorized by this chapter, including but not limited to parking facilities, concession facilities of all kinds and any property or property rights appurtenant to such facilities for such period and under such terms and conditions and upon such rental, fees and charges as the commission may determine, and may pledge all or any portion of such rentals, fees and charges and all other revenue derived from the ownership or operation of such facilities to pay and secure the payment of general obligation bonds or revenue bonds issued for authorized purposes. [1985 c.654 §5]

263.260 Authority to issue revenue and general obligation bonds. (1) For the purpose of providing sports and convention facilities for the people of Oregon and to exercise the powers granted by ORS 263.240 (2), the commission may issue revenue and bond anticipation notes or their equivalent, revenue bonds and general obligation bonds within the limitation now or hereafter prescribed by the laws of this state. Such notes and bonds shall be authorized, executed, issued and made payable in accordance with the applicable laws of this state. The commission may issue and sell such notes and bonds only when authorized to do so by a majority of the electors voting at a countywide election other than the election at which the commission is established.

(2) The commission may provide that such bonds mature not more than 40 years from date of their issue and may provide that such bonds also be made payable from any otherwise unpledged revenues which may be derived from the ownership or operation of any sports and convention facilities. The commission shall also have the power to advance refund bonds issued hereunder in accordance with the laws of Oregon.

(3) The commission may include in the principal amount of any bonds issued to finance a sports and convention facility an amount for engineering, architectural, planning, financial, legal and other services and charges incident to the acquisition or construction of sports and convention facilities, an amount to establish necessary reserves and an amount necessary for interest during the period of construction of any facilities to be financed from the proceeds of such issue plus six months. [1985 c.654 §6]

263.270 Fund to pay principal and interest on bonds; pledge of revenues. (1) When a commission issues revenue bonds under this chapter, the resolution authorizing the issuance of the revenue bonds shall create a special fund for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund board of directors may obligate the commission to pay all or part of such amounts of the gross revenue of all or any part of the sports and convention facilities constructed, acquired, improved, added to, repaired or replaced pursuant to this chapter, or other designated revenues, as the board of directors of the commission shall determine.

(2) The principal of and interest on such bonds shall be payable only out of such special fund or funds and the owners of such bonds shall have a lien and charge against the gross revenue pledged to such fund or funds. [1985 c.654 §7]

263.280 Annual budget; approval by county. The commission shall prepare a budget for each fiscal year covering the projected operating expenses of the commission and its sports and convention facilities and the estimated income to pay the operating expenses. It shall submit the budget for review and approval or rejection to the governing body of the county in which the commission was created. The commission may make expenditures only as provided in the budget as approved, unless additional expenditures are approved by the governing body of the county. Payments to users of any sports and convention facility that constitute a contractual share of box office receipts are neither an operating expense nor an expenditure within the meaning of this section. [1985 c.654 §8]

263.290 Real and personal property of commission exempt from taxation. Any real or personal property acquired, owned, leased, controlled, used or occupied by a commission created pursuant to this chapter for the purposes of this chapter shall be exempt from taxation by this state or any political subdivision of the state. [1985 c.654 §9]

263.300 Liberal construction of statutes. The provisions of this chapter shall be liberally construed to effect its purposes. [1985 c.654 §10]