

# CLARK COUNTY STADIUM AUTHORITY D/B/A LAS VEGAS STADIUM AUTHORITY ALLEGIANT STADIUM | AUTHORITY SUITE ACCESS POLICY

July 16, 2020

## OVERVIEW

Clark County Stadium Authority d/b/a Las Vegas Stadium Authority (the “**Authority**”), and LV Stadium Events Company, LLC (“**StadCo**”), have entered into that certain Stadium Lease Agreement dated as of March 28, 2018 (the “**Lease**”) pursuant to which StadCo granted to the Authority the right to, free of charge, the use of one (1) suite (the “**Suite**”) designated by StadCo for the Authority’s use in Allegiant Stadium (the “**Stadium**”), with (i) a number of tickets to all Las Vegas Raiders’ team games (excluding the Super Bowl) and certain other events at the Stadium corresponding to the number of fixed seats in the Suite and the number of standing room only tickets allocated to comparably sized suites and (ii) a number of parking passes to all team games (excluding the Super Bowl) and certain other events at the Stadium customarily allocated by StadCo to other holders of comparably sized suites. The Suite is to be used exclusively to promote Bona Fide Community Purposes (as defined below).

## POLICY

General Provisions: The use of Suite tickets is a privilege extended by the Authority and not the right of any person to whom the privilege may from time to time be extended by the Authority. Tickets distributed to an individual or an organization pursuant to this Policy shall not be sold to any other person or organization (except for the auctioning or sale of tickets for fundraising purposes by qualifying non-partisan and non-political charitable, non-profit or civic organizations approved by the Authority as described below). Any “public officer” or “public employee”, who requests and/or receives tickets from the Authority, is subject to the provisions of Nevada Revised Statutes 281A.400 and 281A.420 (the text of which is attached) and any other policies or codes of conduct applicable to such person because of their particular status as a public officer or public employee or otherwise.

Application Procedure. Requests for tickets from qualified groups and individuals shall be submitted to Authority staff by filling out the application form on the Authority’s website at the following address: [www.lvstadiumauthority.com](http://www.lvstadiumauthority.com). Upon receipt, Authority staff will review all applications and coordinate distribution of tickets to those applicants whose applications have been approved.

Exhibition Team Game Eligible Applicants: Tickets for exhibition team games in which the Authority has the right to utilize the Suite shall be apportioned by Authority staff to eligible youth organizations promoting the general advancement and wellbeing of people under the age of 18 in the Clark County, Nevada area. Applications for exhibition games are to be submitted to the Authority through the application form on the Authority’s website; however, exhibition team game applications are to be submitted separately from applications for regular season team game tickets.

Regular Season Team Game ~~and Other Events Eligible Applicants:~~ Tickets for regular season team games ~~and other events (other than exhibition team games)~~ in which the Authority

has the right to utilize the Suite shall be apportioned by Authority staff for the uses described below, each being considered a “**Bona Fide Community Purpose**”:

1. **Economic Development:** Tickets shall be distributed first to individuals and organizations responsible for, or as prospects for, the following in the Clark County, Nevada region: (i) generating economic activity, (ii) creating jobs, (iii) increasing tourism and (iv) other general economic development and tourism activities that promote and market the Clark County, Nevada region. The Las Vegas Global Economic Alliance (the “**LVGEA**”) and the Las Vegas Convention and Visitors Authority (the “**LVCVA**”) shall each receive tickets to one (1) regular season team game per year and each shall have the choice in determining which game to attend prior to any games being awarded to other applicants. The LVGEA and the LVCVA shall alternate each year in who chooses first, with the LVCVA choosing first in the first year of operation of the Stadium. Tickets for the remaining applicants will be allocated through a lottery process whereby the name of an organization is paired with the drawing of a particular game or event. In no event shall the Authority distribute tickets to more than four (4) regular season team games annually to individuals or organizations representing economic development purposes. In the event that there is a shortage of qualified economic development applicants, the unallocated tickets shall be utilized for community support or civic fundraising purposes.
  
2. **Community Support:** Tickets shall be distributed next to qualifying non-partisan and non-political charitable, non-profit or civic organizations for the purpose of promoting, supporting and/or showing appreciation for the community programs and services provided by such organizations in the Clark County, Nevada region. Tickets for these applicants will be allocated through a lottery process whereby the name of an organization is paired with the drawing of a particular game or event. In no event shall the Authority distribute tickets to more than ~~three-four (43)~~ regular season team games annually to individuals or organizations representing community support purposes unless there is a shortage of qualified applicants representing economic development purposes, in which case tickets to no more than ~~five-six (65)~~ regular season team games shall be distributed annually to individuals or organizations representing community support purposes. Tickets distributed to such organizations shall be used directly by such qualifying organization and shall not be sold for fundraising purposes.
  
3. **Civic Fundraising:** Tickets shall be distributed finally to a qualifying non-partisan and non-political charitable, non-profit or civic organization to be sold or auctioned for fundraising purposes as approved by the Authority, provided, however, that the purchaser and purchase price of the tickets sold in connection with such fundraising efforts shall be disclosed to the Authority in advance of the use of such tickets. Tickets for these applicants will be allocated through a lottery process whereby the name of an organization is paired with the drawing of a particular game or event. In no event shall the Authority distribute tickets to more than two (2) regular season team games annually to individuals or organizations representing civic fundraising

purposes unless there is a shortage of qualified applicants representing economic development purposes and community support purposes.

For the avoidance of doubt, “public officers” and “public officials” (including members of the Board of the Authority) are permitted under the Policy to access the Suite as a host or sponsor of individuals and organizations that promote a Bona Fide Community Purpose.

### 3.—Other Events Eligible Applicants.

Tickets to events for which the Authority has the right to utilize the Suite other than exhibition team games and regular season team games will be apportioned by Authority staff ~~in~~ generally in accordance with the priorities set out above. That said, to the extent necessary and appropriate, Authority staff, in consultation with the Chair of the Authority, may align certain other events with certain groups of applicants (e.g., in the event of an age-restricted concert).

Extraordinary Circumstances. In the event circumstances arise in which the Suite would go unused for any event for which the Suite is available (e.g., the Suite unexpectedly becomes available for an event or there are no applicants that have applied for and/or been paired with an event), Authority staff, in consultation with the Chair of the Authority, shall seek to identify an appropriate economic development or non-partisan and non-political charitable, non-profit or civic organization and coordinate its use of the Suite. ~~For the avoidance of doubt, “public officers” and “public officials” (including members of the Board of the Authority) are permitted under the Policy to access the Suite as a host or sponsor of individuals and organizations that promote a Bona Fide Community Purpose.~~

Food and Beverage. Although the Authority is entitled to access to the Suite free of charge pursuant to the Lease, any provision by the Authority of food and beverage services to persons in the Suite would require an additional expenditure by the Authority. Accordingly, the Authority does not provide or pay for food or beverage services in the Suite and use of the Suite shall not include any food or beverage services. The individuals or organizations who are authorized to use the Suite for a particular game or event shall be solely responsible for arranging for, and paying the cost of, any food or beverage services in connection with such use should they so choose to receive those services. The Authority may require a monetary deposit to secure such obligation.

Record Keeping. The Authority will maintain a list of the individuals and organizations who use the Suite. The list shall include the date and type of event, the name of each individual attending, the individual’s employer or organization and the public purpose for that individual’s presence in the Suite.

Parking. The parking passes will be allocated in proportion to the number of tickets for the Suite. If a ticket holder is not allocated a parking pass, that ticket holder will be responsible for making their own parking arrangements and paying the costs related to such parking arrangements.

Implementation of Policy. This Policy has been adopted to ensure that the Suite is used in a manner that will allow for the maximum return and public benefit of the taxpayers’ investment in the Stadium. Further, as required by the terms of the Lease, all recipients of tickets distributed according to the terms of this Policy agree to adhere to and comply with the rules and regulations

promulgated by StadCo applicable to the use of suites at the Stadium and the conduct of patrons at events at the Stadium. This Policy may be amended or modified from time to time by action of the Board of Directors of the Authority.

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## Nevada Revised Statutes 281A.400 and 281A.420

**NRS 281A.400 General requirements; exceptions.** A code of ethical standards is hereby established to govern the conduct of public officers and employees:

1. A public officer or employee shall not seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity, for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity, which would tend improperly to influence a reasonable person in the public officer's or employee's position to depart from the faithful and impartial discharge of the public officer's or employee's public duties.

2. A public officer or employee shall not use the public officer's or employee's position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for the public officer or employee, any business entity in which the public officer or employee has a significant pecuniary interest or any person to whom the public officer or employee has a commitment in a private capacity. As used in this subsection, "unwarranted" means without justification or adequate reason.

3. A public officer or employee shall not participate as an agent of government in the negotiation or execution of a contract between the government and the public officer or employee, any business entity in which the public officer or employee has a significant pecuniary interest or any person to whom the public officer or employee has a commitment in a private capacity.

4. A public officer or employee shall not accept any salary, retainer, augmentation, expense allowance or other compensation from any private source, for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity, for the performance of the public officer's or employee's duties as a public officer or employee.

5. If a public officer or employee acquires, through the public officer's or employee's public duties or relationships, any information which by law or practice is not at the time available to people generally, the public officer or employee shall not use the information to further a significant pecuniary interest of the public officer or employee or any other person or business entity.

6. A public officer or employee shall not suppress any governmental report or other official document because it might tend to affect unfavorably a significant pecuniary interest of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity.

7. Except for State Legislators who are subject to the restrictions set forth in subsection 8, a public officer or employee shall not use governmental time, property, equipment or other facility to benefit a significant personal or pecuniary interest of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity. This subsection does not prohibit:

- a. A limited use of governmental property, equipment or other facility for personal purposes if:
  - (1) The public officer or employee who is responsible for and has authority to authorize the use of such property, equipment or other facility has established a policy allowing the use or the use is necessary as a result of emergency circumstances;
  - (2) The use does not interfere with the performance of the public officer's or employee's public duties;
  - (3) The cost or value related to the use is nominal; and
  - (4) The use does not create the appearance of impropriety;
- b. The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or
- c. The use of telephones or other means of communication if there is not a special charge for that use.

If a governmental agency incurs a cost as a result of a use that is authorized pursuant to this subsection or would ordinarily charge a member of the general public for the use, the public officer or employee shall promptly reimburse the cost or pay the charge to the governmental agency.

- 8. A State Legislator shall not:
  - a. Use governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of the State Legislator or any other person. This paragraph does not prohibit:
    - (1) A limited use of state property and resources for personal purposes if:
      - (I) The use does not interfere with the performance of the State Legislator's public duties;
      - (II) The cost or value related to the use is nominal; and
      - (III) The use does not create the appearance of impropriety;
    - (2) The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or

- (3) The use of telephones or other means of communication if there is not a special charge for that use.
- b. Require or authorize a legislative employee, while on duty, to perform personal services or assist in a private activity, except:
  - (1) In unusual and infrequent situations where the employee's service is reasonably necessary to permit the State Legislator or legislative employee to perform that person's official duties; or
  - (2) Where such service has otherwise been established as legislative policy.

9. A public officer or employee shall not attempt to benefit a significant personal or pecuniary interest of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity through the influence of a subordinate.

10. A public officer or employee shall not seek other employment or contracts for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity through the use of the public officer's or employee's official position.

(Added to NRS by [1977, 1105](#); A [1987, 2094](#); [1991, 1595](#); [1993, 2243](#); [1997, 3324](#); [1999, 2736](#); [2003, 3388](#); [2009, 1053](#); [2013, 3771](#); [2017, 2493](#))

**NRS 281A.420 Requirements regarding disclosure of conflicts of interest and abstention from voting because of certain types of conflicts; effect of abstention on quorum and voting requirements; exceptions.**

- 1. Except as otherwise provided in this section, a public officer or employee shall not approve, disapprove, vote, abstain from voting or otherwise act upon a matter:
  - a. Regarding which the public officer or employee has accepted a gift or loan;
  - b. In which the public officer or employee has a significant pecuniary interest;
  - c. Which would reasonably be affected by the public officer's or employee's commitment in a private capacity to the interests of another person; or
  - d. Which would reasonably be related to the nature of any representation or counseling that the public officer or employee provided to a private person for compensation before another agency within the immediately preceding year, provided such representation or counseling is permitted by [NRS 281A.410](#), without disclosing information concerning the gift or loan, the significant pecuniary interest, the commitment in a private capacity to the interests of the other person or the nature of the representation or

counseling of the private person that is sufficient to inform the public of the potential effect of the action or abstention upon the person who provided the gift or loan, upon the public officer's or employee's significant pecuniary interest, upon the person to whom the public officer or employee has a commitment in a private capacity or upon the private person who was represented or counseled by the public officer or employee. Such a disclosure must be made at the time the matter is considered. If the public officer or employee is a member of a body which makes decisions, the public officer or employee shall make the disclosure in public to the chair and other members of the body. If the public officer or employee is not a member of such a body and holds an appointive office, the public officer or employee shall make the disclosure to the supervisory head of the public officer's or employee's organization or, if the public officer holds an elective office, to the general public in the area from which the public officer is elected.

2. The provisions of subsection 1 do not require a public officer to disclose:

- a. Any campaign contributions that the public officer reported in a timely manner pursuant to NRS 294A.120 or 294A.125; or
- b. Any contributions to a legal defense fund that the public officer reported in a timely manner pursuant to [NRS 294A.286](#).

3. Except as otherwise provided in this section, in addition to the requirements of subsection 1, a public officer shall not vote upon or advocate the passage or failure of, but may otherwise participate in the consideration of, a matter with respect to which the independence of judgment of a reasonable person in the public officer's situation would be materially affected by:

- a. The public officer's acceptance of a gift or loan;
- b. The public officer's significant pecuniary interest; or
- c. The public officer's commitment in a private capacity to the interests of another person.

4. In interpreting and applying the provisions of subsection 3:

- a. It must be presumed that the independence of judgment of a reasonable person in the public officer's situation would not be materially affected by the public officer's acceptance of a gift or loan, significant pecuniary interest or commitment in a private capacity to the interests of another person where the resulting benefit or detriment accruing to the public officer, or if the public officer has a commitment in a private capacity to the interests of another person, accruing to the other person, is not greater than that accruing to any other member of any general business, profession, occupation or group that is affected by the matter. The presumption set forth in this paragraph does not affect the applicability of



the requirements set forth in subsection 1 relating to the duty of the public officer to make a proper disclosure at the time the matter is considered and in the manner required by subsection 1.

- b. The Commission must give appropriate weight and proper deference to the public policy of this State which favors the right of a public officer to perform the duties for which the public officer was elected or appointed and to vote or otherwise act upon a matter, provided the public officer makes a proper disclosure at the time the matter is considered and in the manner required by subsection 1. Because abstention by a public officer disrupts the normal course of representative government and deprives the public and the public officer's constituents of a voice in governmental affairs, the provisions of this section are intended to require abstention only in clear cases where the independence of judgment of a reasonable person in the public officer's situation would be materially affected by the public officer's acceptance of a gift or loan, significant pecuniary interest or commitment in a private capacity to the interests of another person.

5. Except as otherwise provided in NRS 241.0355, if a public officer declares to the body or committee in which the vote is to be taken that the public officer will abstain from voting because of the requirements of this section, the necessary quorum to act upon and the number of votes necessary to act upon the matter, as fixed by any statute, ordinance or rule, is reduced as though the member abstaining were not a member of the body or committee.

6. The provisions of this section do not, under any circumstances:

- a. Prohibit a member of a local legislative body from requesting or introducing a legislative measure; or
- b. Require a member of a local legislative body to take any particular action before or while requesting or introducing a legislative measure.

7. The provisions of this section do not, under any circumstances, apply to State Legislators or allow the Commission to exercise jurisdiction or authority over State Legislators. The responsibility of a State Legislator to make disclosures concerning gifts, loans, interests or commitments and the responsibility of a State Legislator to abstain from voting upon or advocating the passage or failure of a matter are governed by the Standing Rules of the Legislative Department of State Government which are adopted, administered and enforced exclusively by the appropriate bodies of the Legislative Department of State Government pursuant to Section 6 of Article 4 of the Nevada Constitution.

8. As used in this section, "public officer" and "public employee" do not include a State Legislator.

(Added to NRS by [1977, 1106](#); A [1987, 2095](#); [1991, 1597](#); [1995, 1083](#); [1997, 3326](#); [1999, 2738](#); [2003, 818](#), [1735, 3389](#); [2007, 3372](#); [2009, 1055, 1057](#); [2013, 3774](#); [2017, 2496](#))