

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

FRIDAY

2:00 P.M.

SEPTEMBER 28, 2007

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Kitty Jung, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Paul Lipparelli, Legal Counsel

The Board met in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and Katy Singlaub, County Manager, read the following, "The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency, and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings."

The Board conducted the following business:

07-1132 AGENDA

Agenda Subject: "Approval of the agenda for the Board of County Commissioners' special meeting of September 28, 2007."

In response to the call for public comment, Sam Dehne discussed the decorum statement and the two minutes allowed for public comment.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the agenda for the September 28, 2007 special meeting be approved.

AGENDA ITEM 4 – PUBLIC COMMENT

Agenda Subject: “Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”

Sam Dehne addressed the Board regarding baseball and the City of Reno.

07-1133 AGENDA ITEM 5 – MANAGER’S OFFICE

Agenda Subject: “Recommendation to approve Final Development Agreement between the County of Washoe, Nevada Land, LLC, SK Baseball, LLC and the City of Reno for the acquisition, leasing, improving equipping, operation and/or maintenance of a professional baseball stadium project in Reno using the proceeds of fees collected from the short-term rental of passenger cars and revenue bonds issued by the County there under and providing for compliance with the state laws on financing of public improvements; and if approved, authorize Chairman to execute the Agreement upon receipt (may possibly be continued from September 18 and 25, 2007 County Commission Meeting).”

The Board opened Agenda Items 5 and 6 for discussion and public comment.

John Berkich, Assistant County Manager, introduced Jerry and Stuart Katzoff, SK Baseball, LLC and Nevada Land, LLC; Alfredo Alonso, Lewis and Roca LLC Principal; Branch Rickey, Pacific Coast League (PCL) President; and Mark Lewis and Scott Edwards, City of Reno Redevelopment Agency; Mayor Bob Cashell, City of Reno; Bob Hester, City of Reno Community Development Director; and Kendra Follett, Swendseid and Stern. He said John Swendseid could not be here but had worked tirelessly on this project. He also thanked the numerous people spread out across the country that worked on the project. He recognized Jimmy Fox, baseball consultant, for his tenacity and hard work, which brought the project to where it was today.

Mr. Berkich recapped the history of the project as presented in the staff report dated September 28, 2007. He commented a typical transaction of this type could take two years, but this deal was accomplished in seven months. He said it took a tremendous team effort to make it possible.

Mr. Berkich described the basic structure of the project as it related to the developer, the City of Reno, and the City of Reno Redevelopment Agency. He said the site selected was referred to as the Freight House site. He explained the developer owned or leased all of the land for the stadium and would build the stadium. He stated the agency would buy the stadium and would then lease it for 20 years, or the term of the bonds, to the developer who would operate and maintain the facility.

Regarding financing, Mr. Berkich explained the developer would loan the City of Reno the money to relocate the fire station, the Redevelopment Agency would reimburse the developer for the excess cost of the stadium beyond the funds yielded by the car tax at a rate of up to \$2 million per year for a period of 20 years in increment funding. Mr. Berkich summarized the project was an \$81 million deal with the developer putting up \$38 million, the Redevelopment Agency putting up \$16 million, and the car tax estimated to generate \$27 million. He said the \$27 million was a combination of the approximately \$3 million that existed in the special fund today and the estimated \$24 million that would be sought in the bond market. He felt it was important for the record to note that the agreement between the developer and the Redevelopment Agency was completely developer performance based with the developer bearing the risk of this venture.

Mr. Berkich said some of the key points of the agreement included the County agreed to issue bonds backed by the car rental fees in addition to the \$3 million in the fund; the \$3 million, along with the bond proceeds, would be paid to the Redevelopment Agency and the County agreed to deliver the excess car tax revenues net of debt service on an annual basis. He stated the developer agreed to build the stadium to PCL standards and to play its home games in the stadium for the life of the bonds. Mr. Berkich stated the City of Reno agreed to own and lease the stadium and to operate the stadium or to contract with the developer for the operation of the stadium. He said the City of Reno and the developer agreed not to do anything to impair the tax-exempt status of the bonds and agreed to indemnify, defend, and hold harmless the County from any future liability.

Mr. Rickey said today was an extraordinary day for the PCL, the County, and the City of Reno. He stated the appreciations expressed by Mr. Berkich needed to be underscored, because the PCL had received only deep-seated support on all sides since the PCL expressed interest in the project. He said Mr. Berkich had been a true soldier in the trenches on this project. He thanked Jim Davenport, who was a partner of C.J. Jones, and recognized the initiative by Sierra Nevada Baseball, LLC was at the heart of all this. He said the PCL also wanted to extend its appreciation to the City of Sparks for trying to bring professional baseball to Northern Nevada.

Mr. Rickey discussed the successes in other cities and how they paled next to what happened here since the Katzoff's involvement. He indicated, in light of the seemingly impossible October 1st deadline, the PCL, the entire government of minor league baseball, and the Commissioner's Office came through with the delivery of approvals by bending timelines and performing in ways they had never performed before to cooperate with what was happening with the project.

Mr. Rickey said going forward depended on the construction of the stadium and on the support of Northern Nevada fans, and he thanked the Board for its steadfast support in helping the project come about.

Paul Lipparelli, Assistant District Attorney, displayed the letter that Mr. Rickey sent on behalf of the PCL indicating the league's approval. Mr. Rickey verified the document contained his signature.

Mr. Berkich said he appreciated Mr. Rickey's comments and his recognition of the folks from the City of Sparks. He said a great part of the reason for being present today was because of the efforts of Sierra Nevada Baseball, LLC, particularly the efforts of C. J. Jones, and he wanted to recognize and thank them for their efforts.

Stuart Katzoff stated the past seven months had been amazing and the whole team worked diligently to make it happen, but the hard work was just beginning. He thanked everyone for the opportunity, and he was happy to bring AAA baseball to Northern Nevada. He was looking forward to building the stadium and having a showpiece for all of professional baseball.

Jerry Katzoff said he was not sure how this got done by the October 1st deadline because it was amazing what people were asked to do. He thanked Mr. Fox for giving him and his son the opportunity to obtain a AAA baseball team and for the many rewarding hours spent working with his son on the project. He thanked Mr. Rickey and Mr. Berkich, and he felt Mr. Berkich should get a lot of the credit for what happened in the last few months. He discussed the people and events of the last few months including the drafting of the development agreement with Mr. Lipparelli's and Mr. Berkich's help and the negotiations with the City of Sparks. Mr. Katzoff thanked Mayor Geno Martini and the Sparks City Council for attempting to bring baseball to the City of Sparks. He stated, after negotiations with the City of Sparks concluded, he and his son had the fortune of meeting Mr. Lewis who, along with Mr. Edwards, helped them through the process with the City of Reno. He said Mr. Alonso was unbelievable in helping them through the maze of political activity. He thanked Leif Reid, Partner, and Garrett Gordon, Associate, Lewis and Roca LLP, for the legal work they did. Mr. Katzoff thanked Skip Daily, from the building trades, for being at every meeting and supporting what was done. He thanked the members of the public for their support and John Hester, City of Reno Community Development Director, for his help obtaining building permits. He again thanked everyone for the great opportunity. He felt no one would be disappointed in the baseball program he and his son were doing.

Mr. Lipparelli displayed the Katzoff's letter of approval from Minor League Baseball and Mr. Katzoff confirmed the letter. He said Melville Southard, Esq. was one of their lawyers, and it was addressed to him on their behalf. Mr. Lipparelli displayed the letter and asked Mr. Katzoff to verify the letter addressed to Mike Moore dated September 26, 2007 confirmed approval from the Office of the Commissioner Major League Baseball. Mr. Katzoff agreed it did. He explained the process was the PCL approved the transaction first, which was the letter from Branch Rickey. He stated Mike Moore then approved it at his level and Jimmie Solomon approved it for Major League Baseball.

Mr. Berkich recognized Mr. Alonso's drafting every piece of legislation creating baseball in Northern Nevada. He stated Mr. Alonso worked tirelessly on the project and was a pleasure to work with. He also recognized the Washoe County team, John Sherman, Finance Director; Adrian Freund, Community Development Director; and Mr. Lipparelli.

Mr. Berkich explained the resolution before the Board made certain findings, pursuant to Nevada Revised Statutes (NRS) Chapter 322, relating to the baseball stadium project. Staff would be presenting documents one at a time evidencing that the requirements for the project contained in SB 203, which were now part of Chapter 322, had been met. He stated it included that all agreements had been entered into with a minor league baseball team to play its home games at the stadium in the County, that the league approvals for the relocation of the team had been obtained, that the stadium site had been acquired or leased, and that any approval required for the construction of the stadium had been obtained.

Mr. Lipparelli stated he would deliver the original set of exhibits to the Clerk for the Board's official records after he was done going through them. He displayed the Resolution and indicated there was a minor change to the packet that was published prior to the meeting. He said the changes were typographical in nature with a correction to Section 1 and a date change from September 25th to September 28th. He attested the Resolution made the findings required by SB 203.

Mr. Lipparelli stated attached to the Resolution was Exhibit A, a copy of the agenda of today's meeting. He said Exhibit B was a copy of the Development Agreement for the expenditure and distribution of rental car fees, which was part of the packet and had been available at the Manager's Office. He stated the agreement established there was an obligation on the part of the baseball team to play their home games in the stadium and there was an agreement to have the stadium constructed. He indicated attached to Exhibit B were the following:

- Exhibit A, Professional Baseball Stadium-Northern Nevada Project Labor Agreement.
- Exhibit B, - Disposition and Development Agreement by and between the Redevelopment Agency of the City of Reno and Nevada Land LLC.
 - Agreement Regarding Stadium Use.
 - Stadium Lease by and between the Redevelopment Agency of the City of Reno and Nevada Land LLC.
- Exhibit C, Letters indicated PCL approval, Mr. Moore's Minor League Baseball approval, and Jimmie Solomon's Major League Baseball approval of the relocation of the Tucson Sidewinders to the City of Reno.
- Exhibit D, List of Parcels that comprised the baseball stadium site and a series of deeds that indicated the transactions that took place. Mr. Lipparelli noted the typical packet consisted of a cover sheet, declaration of value, deed, signatures, parcel map, and the legal description; and the original packet included conformed copies of the deeds to show they were recorded.

Exhibit E, This is where the Board would make all of the findings that all necessary approvals for the construction of the stadium had been obtained.

Mr. Lipparelli asked Mr. Hester to confirm for the record that the two letters and the list of parcels attached as part of Exhibit E were those his office provided. Mr. Hester confirmed they were. Mr. Lipparelli asked if the building permit was that issued by the City of Reno. Mr. Hester confirmed it was and that it was for 250 Evans Avenue issued to Nevada Land LLC. Mr. Lipparelli asked Mr. Hester to confirm that the letter advising that all discretionary approvals required from the City of Reno had been obtained was his letter. Mr. Hester confirmed it was.

Mr. Lipparelli said the last item was an opinion from the law firm of Lewis and Roca LLC and attached to that letter were the permits and letters used in rendering the opinion. Garrett Gordon confirmed it was the opinion from the law firm of Lewis and Roca LLC.

Mr. Lipparelli stated copies of the documents were available to the public.

Chairman Larkin asked if Mr. Lipparelli was testifying that all four items of SB 203 were in compliance. Mr. Lipparelli said that was the Commission's task under adoption of the Resolution. He walked over to the Clerk and handed her the original Resolution. He noted that only the version being given to the Clerk showed that the deeds were recorded.

In response to Commissioner Humke, Mr. Berkich replied Bill 497 enacted the car tax in 2003 based on the initiative of C. J. Jones and others with Sierra Nevada Baseball, LLC. He stated this Commission agreed to enact the tax in response to a request from Sierra Nevada Baseball, LLC in April 2004. He explained the 2 percent tax was on rental cars rented in Washoe County by visitors to Washoe County. He said the 2 percent was collected by the State and remitted to the County. He stated the car tax had been set aside since it was enacted while certain expenses associated with the project had been paid out of the accumulation. He said it was estimated, minus those expenses, there was \$3 million in the bank. He stated the money would be transferred to a trust fund held by the Redevelopment Agency and could only be used for construction of the baseball stadium under the agreement being considered today.

Commissioner Humke asked if there would be any other tax levied on the citizens of Washoe County. Mr. Berkich replied there would not. Mr. Lewis confirmed there would be no new taxes involved in this transaction. He explained the Redevelopment Agency collected the tax increment and remitted it back to the developer, which would not happen if the tax increment did not develop.

Commissioner Weber commented that Mr. Berkich's efforts on this project had been tremendous, and she wanted to say thank you. Mr. Berkich replied he appreciated it.

Chairman Larkin noted there were two signatures missing from the building trades document. Rich Houts, Northern Nevada Building & Construction Trades Council AFL-CIO Secretary Treasurer, stated the reason the two signatures were missing was the signers were not in the area, and he would submit the signatures to the Board as soon as they were obtained.

Commissioner Galloway asked if the City of Reno was buying property and then furnishing it to the developer. Mr. Lewis stated the City was not purchasing any property. He said the inventory of property the City of Reno already had was being utilized for the project. He stated all of the properties were City of Reno or Redevelopment Agency properties. He confirmed some land trades were being done to assemble the site. He said the \$3 million was the value of the traded property.

Commissioner Galloway commented the Legislature did a good thing by asking each Commissioner what their position would be before they passed the first bill, and he felt that was why this went through more smoothly than most things. He said that input changed the bill so local people who had their cars in the shop and had to rent cars did not have to pay the car rental tax. He congratulated the Legislature in doing things in a way that made it work.

Commissioner Jung asked if someone could explain what would happen to the approximately \$3 million collected for the car rental tax if this was not enacted. Mr. Berkich explained that the failure of the Commission to determine the requirements put forth by SB 203 had been satisfied by October 1st would free up the money for other possible uses that the Legislature might approve in Washoe County.

Commissioner Humke asked if each and every possible step had been taken to protect Washoe County taxpayers. Mr. Berkich replied every step had been taken that was advised by counsel. He said staff had exercised due diligence in taking the received suggestions, cautions, and guidance so staff could stand before the Board and state this was the best effort and all due diligence was completed on this project and on the documents. Commissioner Humke thanked Mr. Berkich for his late hours working on this project in addition to his other duties.

Commissioner Weber asked if there would be a stadium authority; and, if so, when would it be created. Mr. Berkich said one provision included in SB 203 changed the requirement with respect to formation of the authority by making it permissive. He stated that would be analyzed as the project moved forward and would be brought back to the Commission to take the action to form the authority. He confirmed permissive meant there did not need to be a stadium authority. He stated there was extensive discussion on creating the stadium authority with the City of Reno and the City of Sparks. He indicated it had not been decided whether it would be brought back at a joint meeting.

Mr. Lipparelli explained the car tax statute as it was originally written required the stadium authority, and the makeup of the authority would include representatives from the County, the two cities, and the baseball team. He stated in the

last Legislative session, changes to the car tax statute included an effort to make the stadium authority permissive because it became apparent the stadium authority would be an extra layer of government that might not be necessary depending on the final structure of the project. He stated that when the bill was approved and came out of the Legislature, it had an oddity in it that the portion of the bill that made the stadium authority permissive would go into affect only if the Commission did not make the findings the Commission was here today to make. Mr. Lipparelli said the result was the stadium authority was still required after today's findings were made. He stated it was believed it had to be in place prior to the stadium being used to play baseball, which would be after the next Legislative session convenes. He said that would probably mean the Legislature would give clearer instructions to the bill drafters on what the effort meant to make the stadium authority permissive. He indicated at the appropriate time, the Commission would be asked to create the stadium authority unless the law was changed to make it permissive or to eliminate it all together.

Commissioner Galloway commented that maybe by then things would be laid out in a straightforward manner so the extra layer would not be necessary. He hoped the lease agreements between the City and the baseball operators could be fine-tuned so the Commission could get behind it. He said straightforward things that did not have to be politically managed were preferable as far as he was concerned.

Commissioner Humke asked if someone could describe other potential uses for the stadium. Mr. Katzoff said the stadium was in the early planning stages, but it was planned to be used for concerts and there were all sorts of creative ideas such as rock climbing walls being considered to utilize the property when it was not baseball season. He indicated there was a clean slate to design something ahead of its time, and they wanted to keep all options open.

In response to the call for public comment on Agenda Items 5 and 6, Sam Dehne stated he was in favor of the stadium. Don Weber stated he was not convinced the parking aspect was adequately resolved, and he commented the stadium should have a dome and the seats should be comfortable. Richard Daley, Labor Union 169 of Northern Nevada, stated he favored the baseball stadium and he asked the Board to make it happen.

The Chairman closed public comment.

Commissioner Galloway commented his constituents favored the baseball stadium if the car rental tax was the only new tax, which seemed to be the case.

Mr. Lipparelli confirmed a motion for Item 5 should be done first; and, if the Board approved the agreement, he would have the agreement signed on the record, which was a prerequisite for adopting the Resolution.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly, it was ordered that Agenda Item 5 be approved and authorized.

Chairman Larkin signed the agreement and Amy Harvey, County Clerk, attested his signature.

07-1134 AGENDA ITEM 6 - MANAGER’S OFFICE

Agenda Subject: “Recommendation to execute a Resolution making certain findings pursuant to Chapter 322, Statutes of Nevada 2007 relating to a minor league baseball stadium project; providing certain details in connection therewith; and providing the effective date hereof (may possibly be continued from September 25, 2007 County Commission Meeting).”

See Agenda Item 5 for discussion and public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly, it was ordered that Agenda Item 6 be adopted and executed. See resolution attached hereto and made a part hereof.

Mr. Berkich commented the ordinance authorizing the issuance of the bonds would be coming before the Board in October or November. He indicated the developers anticipated breaking ground in early 2008 to have the stadium completed for opening day in 2009. He thanked the Commission and anyone who had a role in bringing this forward.

Chairman Larkin thanked everyone who made baseball in Northern Nevada a reality.

* * * * *

3:30 p.m. There being no further business to come before the Board, the meeting was adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

Minutes Prepared by Jan Frazzetta, Deputy County Clerk

Summary - a resolution making certain findings pursuant to Chapter 322, Statutes of Nevada 2007.

RESOLUTION NO. 07-1134

A RESOLUTION MAKING CERTAIN FINDINGS PURSUANT TO CHAPTER 322, STATUTES OF NEVADA 2007 RELATING TO A MINOR LEAGUE BASEBALL STADIUM PROJECT; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the County of Wash oe, in the State of Nevada (the "County" and the "State," respectively), is a county incorporated and operating under the laws of the State; and

WHEREAS, Section 9.5 of Chapter 322, Statutes of Nevada 2007, Board of County Commissioners of the County (the "Board") shall determine whether the following criteria for the minor league baseball stadium project, as defined in NRS 244A.0344, have been met before October 1, 2007; and

(a) An agreement has been entered into with a minor league baseball team to play its home games at a baseball stadium that will be acquired, leased, improved, equipped, operated and maintained within the County;

(b) If relocation of the minor league baseball team is required, approval for relocation of the team by the relevant league has been obtained;

(c) The site for the minor league baseball stadium has been acquired or leased; and

(d) Any approval required for the construction or improvement of the minor league baseball stadium has been obtained;

WHEREAS, an agreement has been entered into with SK Baseball LLC, a Delaware limited liability company (the "Team") to play its home games at a baseball stadium that will be acquired, leased, improved, equipped, operated and maintained within the County and a copy of such agreement is attached hereto as Exhibit B; and

WHEREAS, approval for relocation of the Team by the relevant league(s) has been obtained and a copy of such approval for relocation is attached hereto as Exhibit C; and

WHEREAS, the site for the minor league baseball stadium is in the Downtown Redevelopment Area and Redevelopment Area No. 2 of the Redevelopment Agency of the City of Reno, Nevada, the site has been acquired or leased by Nevada Land LLC, a Delaware limited liability company and a evidence of such acquisition and lease is attached hereto as Exhibit D; and

WHEREAS, all building permits and other approvals required for the construction or improvement of the minor league baseball stadium have been obtained and evidence of such approvals and an opinion of Lewis and Rocca LLP, counsel to the Team, that all required approvals have been obtained is attached hereto as Exhibit E; and

WHEREAS, the Board desires to make the findings required by Section 9.5 of Chapter 322, Statutes of Nevada 2007; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. The Board hereby finds and determines that:

(a) Based on the information in Exhibit B attached hereto, an agreement has been entered into with a minor league baseball team to play its home games at a baseball stadium that will be acquired, leased, improved, equipped, operated and maintained within the County;

(b) Based on the information in Exhibit C attached hereto, approval for relocation of the team by the relevant league has been obtained;

(c) Based on the information in Exhibit D attached hereto, the site for the minor league baseball stadium has been acquired or leased; and

(d) Based on the information in Exhibit E attached hereto, all approvals required for the construction or improvement of the minor league baseball stadium have been obtained.

The Board hereby finds and determines that all the criteria set forth in Section 9.5(1) of Chapter 322, Statutes of Nevada 2007, have been met and hereby makes such findings and determinations for purposes of Section 9.5(2) of Chapter 322, Statutes of Nevada 2007. Pursuant to Section 9.5(2) of Chapter 322, Statutes of Nevada 2007, such a finding is conclusive absent fraud or abuse of discretion.

Section 2. This Resolution shall become effective upon passage and approval.

PASSED AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2007.

Robert M Larkin

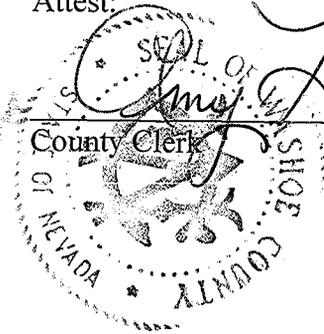
Chairman

(SEAL)

Attest:

Amy Harvey

County Clerk



STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

I, Amy Harvey, am the qualified and elected Clerk of Washoe County (the "County"), and in the performance of my duties as Clerk do hereby certify:

1. The foregoing pages are a true, correct and compared copy of a resolution adopted by Board of County Commissioners (the "Board") of the County at a meeting held on September 28, 2007. The original of the resolution has been approved and authenticated by the signatures of the Chairman of the Board and myself as County Clerk and sealed with the seal of the County, and has been recorded in the minute book of the Board kept for that purpose in my office.

2. The proceedings were duly had and taken as therein shown. The following Commissioners were present at said meeting and voted on the resolution as follows:

Those Voting Aye:

Jim Galloway
Bob Larkin
Dave Humke
Bonnie Weber
Kitty Jung

Nays:

NONE

Absent:

NONE

4. All members of the Board were given due and proper notice of such meeting.

5. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS Section 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the resolution, as posted by 9:00 a.m. at least 3 working days in advance of the meeting at the County's website and:

- a. Washoe County Administration Complex
1001 East Ninth Street
Reno, Nevada
- b. Washoe County Courthouse
Virginia and Court Streets
Reno, Nevada

- c. Washoe County Library
301 South Center Street
Reno, Nevada
- d. Justice Court
630 Greenbrae Drive
Sparks, Nevada

is attached as Exhibit "A".

6. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was delivered to each member of the Board and to each person, if any, who has requested notice of meetings of the Board in the same manner in which notice is required to be mailed to a member of the Board.

IN WITNESS WHEREOF, I have hereunto set my hand this September 28, 2007.


County Clerk

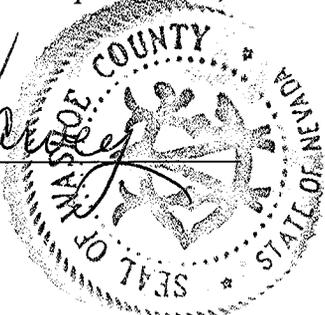
The seal of Washoe County, Nevada, is circular with a double border. The outer border contains the text "WASHOE COUNTY" at the top and "STATE OF NEVADA" at the bottom, separated by small stars. The inner border contains the text "SEAL OF WASHOE COUNTY" at the top and "1862" at the bottom. In the center of the seal is a shield featuring a landscape with a mountain, a river, and a tree.

Exhibit "A"

(Attach Copy of Notice of Meeting)

Exhibit "B"

(Attach Agreement to play home games at Baseball Stadium)

Exhibit "C"

(Attach Evidence of Approval of Relocation of Team)

Exhibit "D"

(Attach Evidence that Site has been Acquired or Leased)

Exhibit "E"

**(Attach Building Permits and other Approvals for Construction or
Improvement of Stadium and opinion of counsel)**

Exhibit "A"

(Attach Copy of Notice of Meeting)

COUNTY COMMISSIONERS

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway
David Humke
Kitty Jung

COUNTY MANAGER

Katy Singlaub

**ASSISTANT
DISTRICT ATTORNEY**

Melanie Foster

AGENDA

SPECIAL MEETING

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

**September 28, 2007
2:00 p.m.**

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

Public Comment during the Commission Meeting on September 28, 2007 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: **"*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda"**.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, as the Board of Directors for the Sierra Fire Protection District, and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Support documentation for the items on the agenda, provided to the Washoe County Board of Commissioners is available to members of the public at the County Manager's Office (1001 E. 9th Street, Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.washoecounty.us.

Unless otherwise indicated by asterisk (*), all items on the agenda are action items upon which the Board of County Commissioners will take action.

- 2:00 p.m.**
- *1. Salute to the flag.
 - *2. Roll call.
 3. Approval of the agenda for the Board of County Commissioners' special meeting of September 28, 2007.
 - *4. Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.
 5. Recommendation to approve Final Development Agreement between the County of Washoe, Nevada Land, LLC, SK Baseball, LLC and the City of Reno for the acquisition, leasing, improving equipping, operation and/or maintenance of a professional baseball stadium project in Reno using the proceeds of fees collected from the short-term rental of passenger cars and revenue bonds issued by the County there under and providing for compliance with the state laws on financing of public improvements; and if approved, authorize Chairman to execute the Agreement upon receipt (may possibly be continued from September 18 and 25, 2007 County Commission Meeting)--Manager.
 6. Recommendation to execute a Resolution making certain findings pursuant to Chapter 322, Statutes of Nevada 2007 relating to a minor league baseball stadium project; providing certain details in connection therewith; and providing the effective date hereof (may possibly be continued from September 25, 2007 County Commission Meeting)--Manager.