

**MARICOPA COUNTY STADIUM DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**October 6, 2004**

The Board of Directors of Maricopa County Stadium District, Phoenix, Arizona convened at 9:00 a.m., October 6, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Official Record Keeper of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**MINUTES**

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve minutes of meeting held September 8, 2004.

**PERSONNEL AGENDA**

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve Stadium District Personnel Agenda (Exhibit E). Exhibit E will be found at the end of this set of minutes.

**AUTHORIZE STADIUM DESIGNEE TO ENTER INTO CONTRACTS**

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to authorize stadium designee to enter into contracts regarding the following:

- a) Authorize the Stadium District Executive Director Representative and/or his designee to enter into contracts with entities desiring to lease the "Day Use" areas of the ballpark property for events with less than 10,000 attendees.
- b) Approve the form of Day Use License to be entered into with entities desiring to lease the "Day Use" areas of the ballpark.
- c) Authorize the Stadium District Executive Director Representative to enter into a five-year letter agreement with the Arizona Diamondbacks baseball team and its affiliates that would allow the "day use" areas of Bank One Ballpark to be licensed to qualifying non-profit entities without charging the base use fee for a maximum of six events per calendar year. (C6805003) (ADM5500)

**EXECUTION OF RIGHT OF ENTRY**

Motion was made by Director Stapley, seconded by Director Wilcox, and unanimously carried (5-0) to approve and authorize the execution of a Right of Entry, in consideration of One dollar (\$1.00), with Arizona Public Service Company (APS), its successors and assigns, to allow the temporary use of a portion of Bank One Ballpark property, to construct, operate and maintain electric service and appurtenant facilities under the surface located at the southeast corner of Jefferson Street and 4th Street, Phoenix Arizona. The Right of Entry is subject to approval by County Counsel. This Right of Entry will be replaced with a permanent Utility Easement, which will be negotiated at a future date. (C6805004B) (ADM5507)

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**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Official Record Keeper