

Clark County Stadium Authority Board

CLARK COUNTY, NEVADA

STEVE HILL
Chairman
LAWRENCE EPSTEIN
KEN EVANS
LAURA FITZPATRICK
Ex-Officio
DALLAS HAUN
BILL HORNBuckle
JAN JONES BLACKHURST
MIKE NEWCOMB
J. TITO TIBERTI
TOMMY WHITE

***DRAFT - ON AGENDA FOR APPROVAL
AT THE 2/9/17 STADIUM AUTHORITY BOARD MEETING***

LAS VEGAS VALLEY WATER DISTRICT
MEAD ROOM
1001 SOUTH VALLEY VIEW BOULEVARD
LAS VEGAS, NV 89153

The Clark County Stadium Authority Board met in regular session in the Mead Room at the Las Vegas Valley Water District, 1001 South Valley View Boulevard, Las Vegas, Nevada, on Thursday, the 12th day of January, 2017 at the hour of 1:00 p.m. The meeting was called to order at the hour of 1:05 p.m. by Chairman Hill and, on roll call, the following members were present, constituting all of the members thereof:

THURSDAY, JANUARY 12, 2017

CALL TO ORDER

Chairman and Members :

Steve Hill
Ken Evans
Dallas Haun
Bill Hornbuckle
Jan Jones Blackhurst
Mike Newcomb
Tommy White

Absent: None

Also present:

Lawrence Epstein
Laura Fitzpatrick
J. Tito Tiberti
Mary-Anne Miller, Deputy District Attorney
Lynn Marie Goya, County Clerk

B. Koch, Deputy Clerk
K. Dexter, Deputy Clerk

ITEM NO. 1 Call to Order, Roll Call and Establish Quorum

DISCUSSION: At this time, Chairman Hill called the roll and confirmed that a quorum was present.

Chairman Hill closed Agenda Item No. 1.

ITEM NO. 2 PUBLIC COMMENT

At this time, Chairman Hill asked if there were any persons present in the audience wishing to be heard on any items on the agenda as posted.

SPEAKER(S): Present

Don Murphy, a representative of LVBBBD, LLC, stated that he owns a 67 acre parcel located at the northwest corner of Las Vegas Boulevard and Blue Diamond and advised of his intent to submit a petition for consideration to be selected as the location for the Las Vegas Stadium.

Raymond Lujan spoke in support of a stadium being built in Las Vegas.

John Loomis commented on the Board obtaining some type of technology expertise in order for the stadium to be a relevant facility.

There being no other persons present in the audience wishing to be heard on any items listed on the agenda as posted, Chairman Hill closed the public comments.

ITEM NO. 3 Chairman/Committee Comments

DISCUSSION: Chairman Hill expressed appreciation to the Las Vegas Valley Water District for the use of the facility for today's meeting; and advised the Board of the intent to utilize the Clark County Government Center for future meetings. Chairman Hill then expressed appreciation to Clark County, Applied Analysis staff, Clark County District Attorney, and the Clerk's Office for their assistance; further advised that a meeting will be held on January 26th at which time the Board will make a final recommendation on the selection of a law firm to represent the Board, and also will select a Vice-Chair for the Stadium Authority Board.

Chairman Hill then requested that the Board and staff set aside the dates of February 23rd and March 23rd for possible meetings if necessary, as well as the regularly scheduled meetings; and further advised that he was unsure how the process timeline will run for the negotiations for a development agreement and a lease agreement with the Raiders and any potential developers. It was noted that agenda items 7 through 11 deal with agreements between the Stadium Authority Board and the County.

Chairman Hill advised that agenda Item Nos. 11, 12, and 13 would be heard in reverse order.

Chairman Hill closed Agenda Item No. 3.

ITEM NO. 4 Approval of Minutes of the Las Vegas Stadium Authority Board meeting on December 5, 2016. (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded, and carried by unanimous vote of the members present that the minutes of the Regular Meeting held on December 5, 2016 be approved.

Chairman Hill closed Agenda Item No. 4.

ITEM NO. 5 Approval of Agenda with the Inclusion of Any Emergency Items and Deletion of Any Items. (For possible action)

FINAL ACTION: It was moved by Member Ken Evans, seconded by Member Jan Jones Blackhurst, and carried by unanimous vote of the members present that the agenda be approved.

Chairman Hill closed Agenda Item No. 5.

ITEM NO. 6 Pursuant to Section 22, Subsection 1(d) of SB 1 of the 2016 Special Session of the Nevada Legislature, approve the selection of one individual to serve as a member of the Las Vegas Stadium Authority Board for an initial term to end on December 31, 2018, and one individual to serve as a member of the Las Vegas Stadium Authority Board for an initial term to end on December 31, 2019, from the following list of applicants: Larry Austin, Melissa Clary, Paul Cornbleth, Lawrence Epstein, Mark Fine, Brenda Fischer, James Gilley, Lee Haney, Michael Jerlecki, Jay Kersting, Roger Lessman, L. John Loomis, Jim Mason, Ralph McNamara, Ashok Mirchandani, Robert Murname, Kenneth O'Sullivan, Louis Overstreet, Alex Pereszlenyi, Chris Petko, Marc Risman, Jason Rosenberg, Jeffrey Silver, Marilyn Spiegel, Tony Sutter,

J. Tito Tiberti, Danielle Walliser, Joseph Wilcock, Shana Wiley, Natasha Williams, and Leonard Yelinek. (For possible action)

DISCUSSION: Chairman Hill provided a brief update to the Board regarding the process of selecting nominees and opened the floor to the Board for nominations and motions.

Member Hornbuckle moved that Lawrence Epstein be nominated as a Board member, motion seconded by Member Haun.

Following comments regarding concern about potential nominees' names being published in the media prior to Board discussion, Member Jones Blackhurst moved that Marilyn Spiegel be nominated as a Board member.

Member Haun then moved that Tito Tiberti be nominated as a Board member.

The Board received brief presentations from nominees interested in serving as Members of the Clark County Stadium Authority Board.

The Board was addressed by Kenneth O'Sullivan who requested clarification as to whether "Lawrence Epstein" and "Ike Epstein", whose names appeared on the sign-in sheet, were the same individual.

A representative of Applied Analysis provided confirmation to the Board regarding the date and time that the application was submitted for Ike Lawrence Epstein; advised that the application referenced Mr. Epstein's full name which is Lawrence; and that there was no reason to believe that there was anything other than his signature on the submission. Upon further questioning by Kenneth O'Sullivan, Chairman Hill advised that Mr. Epstein is known as both "Lawrence" and "Ike". The Board was then addressed by Mr. Ike Lawrence Epstein who provided clarification regarding the sign-in sheet.

FINAL ACTION: It was moved by Member Bill Hornbuckle, seconded by Members Ken Evans and Tommy White, and carried by unanimous vote of the members present that the recommendation (including the appointment of Lawrence Epstein) be approved.

It was then moved by Member Hornbuckle, seconded by Member Evans, and carried by unanimous vote of the members present that the recommendation (including the appointment of J. Tito Tiberti) be approved.

At this time, Lynn Marie Goya, Clark County Clerk, administered the oath of office to the Board members.

Chairman Hill closed Agenda Item No. 6.

ITEM NO. 7

Approve and authorize the Chairman to sign the interlocal agreement with the County for the performance of governmental services pursuant to Section 26 of SB 1 of the 2016 Special Session of the Nevada Legislature; or take other action as deemed appropriate. (For possible action)

DISCUSSION: The Board received a report from a representative of Applied Analysis on the matter.

FINAL ACTION: It was moved by Member Bill Hornbuckle, seconded by Member Ken Evans, that the recommendation be approved.

On roll call, motion carried by the following vote:

Voting Aye:	Voting Members Steve Hill, Ken Evans, Dallas Haun, Bill Hornbuckle, Mike Newcomb, Tommy White
Voting Nay:	None
Abstaining:	None
Absent:	Voting Member Jan Jones Blackhurst

Chairman Hill closed Agenda Item No. 7.

ITEM NO. 8

Pursuant to the interlocal agreement with the County, approve and authorize the County to act as the Stadium Authority's fiscal agent. (For possible action)

FINAL ACTION: It was moved by Member Bill Hornbuckle, seconded by Member Jan Jones Blackhurst, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 8.

ITEM NO. 9

Pursuant to the interlocal agreement with the County, approve and authorize the County Clerk to perform all the duties noted in Section A, Subsection (4) of the interlocal agreement. (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 9.

ITEM NO. 10 Pursuant to Section 24, Subsection 2(b) of SB 1 of the 2016 Special Session of the Nevada Legislature, elect a Secretary of the Las Vegas Stadium Authority Board of Directors. (For possible action)

DISCUSSION: Chairman Hill advised the Board that the County Clerk will perform all the duties of secretary to the Clark County Stadium Authority Board.

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 10.

ITEM NO. 11 Approve and authorize the Chairman to sign an interlocal agreement for a short-term loan not to exceed \$500,000 from the County to the Stadium Authority. (For possible action)

NOTE: At this time, Item No. 13 followed by Item No. 12, were heard prior to Item No. 11.

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 11.

ITEM NO. 12 Conduct a public hearing; approve the adoption of a final budget for FY 2017, and approve the transmission of the Final Budget to the Department of Taxation as prescribed by law. (For possible action)

DISCUSSION: The Board received a brief report from a representative of Applied Analysis on the matter.

Upon questioning by Member Hornbuckle, a representative from Applied Analysis advised that another resolution will be brought forth to transfer the funds to a capital construction fund that the Stadium Authority will hold.

FINAL ACTION: It was moved by Member Tommy White, seconded by Member Jan Jones Blackhurst, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 12.

ITEM NO. 13 Approve, adopt and authorize the Chairman to sign a resolution to create the Stadium Authority Fund to receive and account for the proceeds of the transient lodging tax. (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Ken Evans, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 13.

ITEM NO. 14 Approve and authorize the payment of \$25,000 to Applied Analysis for services provided from inception to December 31, 2016. (For possible action)

DISCUSSION: Chairman Hill provided an update to the Board on the matter.

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Ken Evans, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 14.

ITEM NO. 15 Direct the Chairman to work with staff to initiate and participate in the process of solicitation, negotiation and preparation of proposals for the Stadium Authority Board's consideration for a development agreement with a partner for the development and construction of a National Football League stadium project, a lease agreement with a Stadium Events Company and other related agreements as directed and required by SB 1 of the 2016 Special Session of the Nevada Legislature. (For possible action)

DISCUSSION: Chairman Hill provided an update to the Board on the matter and discussed the process.

Member Hornbuckle spoke in support of the recommendation from Chairman Hill.

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 15.

ITEM NO. 16 Approve a resolution establishing a temporary delegation of authority to the Chairman, and in his absence the Vice Chair or other written designee, to approve the payment of invoices and to authorize other necessary disbursements from the Stadium Authority Board's fund as authorized by law. (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 16.

ITEM NO. 17 Approve, adopt and authorize the Chairman to sign a resolution establishing a policy regarding ex parte communication during a Stadium Authority procurement process. (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Ken Evans, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 17.

ITEM NO. 18 Receive a report on the Request for Qualifications for Legal Counsel process and authorize the Chairman and staff to negotiate a professional services agreement with one of these respondents: Andrews Kurth/Brownstein, Ballard Spahr/Dorsey & Whitney, or Fennemore Craig. (For possible action)

DOCUMENT(S) SUBMITTED: Las Vegas Stadium Authority Board slide show presentation (8 pages) (submitted by Ballard Spahr Dorsey & Whitney)

Las Vegas Stadium Authority Board slide show presentation (16 pages) (submitted by Andrews Kurth Kenyon, LLP & Brownstein Hyatt Farber Schreck, LLC)

DISCUSSION: The Board received a report from a representative of Applied Analysis on the matter.

The Board received a presentation from Richard Bryan and Michael Buckley of Fennemore Craig.

The Board then received a presentation from Robert Kim and Jay Lindgren of Ballard Spahr Dorsey & Whitney. Following questioning by Member White, Jay Lindgren advised that the labor peace agreement was between the construction manager and the union officials.

The Board then received a presentation from Frank Schreck, Mark Arnold, and Angela Otto of Andrews Kurth Kenyon, LLP & Brownstein Hyatt Farber Schreck, LLP.

Chairman Hill advised of his intent to continue working with Applied Analysis and to meet with each of the three firms over the next week to discuss the financial side, develop a better understanding of the work relationship, and to work towards a contract to bring forth to the Board with a recommendation on January 26th.

In response to questioning by Member Hornbuckle, a representative of Applied Analysis advised that the contract with the legal firm chosen to represent the Board does not fall under the fifteen percent diversity small business requirements set by SB1.

Member Evans commented on diversity and inclusion.

FINAL ACTION: It was moved by Member Tommy White, seconded by Member Bill Hornbuckle, and carried by unanimous vote of the members present that the recommendation be approved.

Chairman Hill closed Agenda Item No. 18.

ITEM NO. 19 Receive a report on the status of the NFL stadium project.

DISCUSSION: The Board received a report from a representative of Applied Analysis on the matter.

Following questioning by Member Hornbuckle, a representative from Applied Analysis advised that the next set of significant meetings will occur after the Super Bowl, which is scheduled for the first week in February.

FINAL ACTION: No action was taken by the Board.

ITEM NO. 20 PUBLIC COMMENT

At this time, Chairman Hill asked if there were any persons present in the audience wishing to be heard on any items not listed on the posted agenda.

Don Murphy spoke regarding Item No. 13.

Member Evans then advised that he will be out of the country at the time of the next scheduled meeting, but will be available by phone or Skype.

ITEM NO. 21 Adjournment (For possible action)

FINAL ACTION: It was moved by Member Jan Jones Blackhurst, seconded by Member Ken Evans, and carried by unanimous vote of the members present that the meeting be adjourned.

The meeting was adjourned at the hour of 3:18 p.m.