

1 **June 11, 2007**

Proposed No.: 07-005

2 **RESOLUTION NO. 376**

3 A RESOLUTION of the Board of Directors of the Washington State
4 Major League Baseball Stadium Public Facilities District authorizing the
5 Executive Director to execute a contract between the District and Gottlieb,
6 Fisher & Andrews, PLLC for legal services.
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8 WHEREAS, pursuant to Chapter 36.100 RCW, as amended, the Washington State
9 Major League Baseball Stadium Public Facilities District (the "District"), has been created
10 and possesses all the powers of a public facilities district; and

11 WHEREAS, pursuant to RCW 36.100.010(5), 36.100.180 and other provisions of
12 state law, the District has broad powers to enter into contracts for materials, work and
13 services necessary for the operations of a baseball stadium; and

14 WHEREAS, the District established various procurement policies and procedures
15 to facilitate the expeditious design, construction and completion of the baseball stadium,
16 and in 2006 the District updated those policies and procedures to reflect the procurements
17 being undertaken for an operating facility; and

18 WHEREAS, District Resolution No. 364 authorizes the Executive Director to
19 contract for professional services, where those services are not anticipated to exceed
20 \$100,000 in a given calendar year, subject to ratification by the District Board; and

21 WHEREAS, District Resolution No. 364 also provides that whenever in the
22 judgment of the Board special circumstances require a procedure different from that set
23 forth in the normal procedures, the Board may authorize the making of purchases and the
24 performance of services in such other manner as may be deemed to be appropriate to the
25 circumstances and in the best interests of the District; and

26 WHEREAS, the law firm of Gottlieb, Fisher & Andrews, PLLC ("Gottlieb") was
27 retained by the District in February 2005 to provide general municipal and public finance
28 legal counsel services; and

29 WHEREAS, Gottlieb has significant experience in such matters and has
30 represented the District since 2005, and in the course of such representation has developed

31 knowledge and experience regarding the District's operations, procedures, and other
32 matters; and

33 WHEREAS, the District is in the process of updating all of its contractual
34 relationships with its service providers using similar contractual agreements, in order to
35 make the contracting process more uniform and more efficient; and

36 WHEREAS, retaining Gottlieb as legal counsel on general municipal and public
37 finance matters will ensure continuity on critical issues and save the District time and
38 money by eliminating the need for new counsel to invest time and get up to speed on
39 outstanding issues; and

40 WHEREAS, the procurement of these services complies with the procedures
41 established by District resolution and applicable laws and regulations, and is consistent
42 with the District's annual budget; and

43 WHEREAS, all contracts in excess of \$50,000, regardless of how procured,
44 require Board approval or ratification; and

45 WHEREAS, the Executive Director of the District as completed negotiations of a
46 Professional Services Agreement with Gottlieb, Fisher & Andrews, PLLC; and

47 WHEREAS, it is in the best interest of the District, and consistent with the
48 District's procurement procedures and special circumstances described above, to enter
49 into an agreement with Gottlieb, Fisher & Andrews, PLLC.

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NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC
FACILITIES DISTRICT:

Section 1. The Executive Director is hereby authorized to execute an agreement
with Gottlieb, Fisher & Andrews, PLLC, in substantially the form on file with the District.

PASSED by a vote of 6 to 1 this 11th day of June, 2007.

BOARD OF DIRECTORS
WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC
FACILITIES DISTRICT

José E. Gaitán, Chair

ATTEST:

Clerk