

3-G

MOTION:

**June 23, 2015
Regular Meeting
Res. No. 15-**

SECOND:

RE: TRANSFER, BUDGET AND APPROPRIATE \$230,000 FROM THE CONTINGENCY RESERVE FOR PFITZNER STADIUM CLUBHOUSE IMPROVEMENTS, ESTABLISH A CAPITAL IMPROVEMENT PROJECT FOR PFITZNER STADIUM, AND AUTHORIZE A PUBLIC HEARING TO CONSIDER EXECUTION OF A LEASE AGREEMENT BETWEEN PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS AND PRINCE WILLIAM PROFESSIONAL BASEBALL, INC. FOR THE USE OF G. RICHARD PFITZNER STADIUM THROUGH 2018 – OCCOQUAN MAGISTERIAL DISTRICT

ACTION:

WHEREAS, the Pfitzner Stadium was constructed in 1984 to accommodate minor league baseball play in Prince William County. Since 1984, the Stadium has continuously been utilized for this purpose. The County owns the current stadium, as well as the property upon which it is located; and

WHEREAS, the Board of County Supervisors is supportive of the Potomac Nationals Minor League Baseball Team (PNATS) and recognizes the recreational and tourism opportunities the team brings to the community. Over the 31 seasons of minor league baseball in Prince William County, there has been an average of 200,000 attendees per year totaling over 6 million people who have attended baseball games; and

WHEREAS, in addition to being a tourism attraction, the PNATS have created approximately 6,500 part-time and full-time jobs over the 31 years of play; many of these for the youth of the County; and

WHEREAS, the current lease between the County and Prince William Professional Baseball, Inc. (d.b.a. Potomac Nationals) for the use of G. Richard Pfitzner Stadium expires December 31, 2015; and

WHEREAS, the PNATS have advised the County that Minor League Baseball will not allow the PNATS to play at Pfitzner Stadium for the 2016 season unless an addition of approximately 1,000 square feet is made to the visitors' clubhouse; and

WHEREAS, up to \$230,000 is available in the County Contingency Reserve to fund the costs of these proposed visitors' clubhouse improvements;

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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby transfer, budget and appropriate \$230,000 from the Contingency Reserve to reimburse Prince William Professional Baseball, Inc. for the costs of improvements to the Pfitzner Stadium Visitors' Clubhouse as follows:

Transfer Budget:

Decrease Expenditure Budget:

<u>OCA</u>	<u>Object Level 3</u>	<u>Amount</u>
690008 – Contingency Reserve	5800 – Undistributed & Misc.	\$230,000

Increase Expenditure Budget:

<u>OCA</u>	<u>Object Level 3</u>	<u>Amount</u>
690008 – Contingency Reserve	9110 – Transfer to Capital Fund	\$230,000
TBD – Pfitzner Stadium	7820 – Building Renovations	\$230,000

Increase Revenue Budget:

<u>OCA</u>	<u>Object Level 3</u>	<u>Amount</u>
TBD – Pfitzner Stadium	1901 – Transfer from General Fund	\$230,000

BE IT FURTHER RESOLVED that the transfer of these funds is contingent upon the following:

- 1) The County and the PNATS entering into a lease for Pfitzner Stadium running through at least 2018 on terms acceptable to the County and the Potomac Nationals;
- 2) The terms of such lease shall include a provision clarifying that should Minor League Baseball require any additional improvements to any aspect of the Pfitzner Stadium complex and its supporting infrastructure, the County has no legal or moral obligation to fund or construct any such improvements. Moreover, if the County should decide, in its sole discretion, not to fund or construct any future improvements requested or required by the PNATS or Minor League Baseball, other than the proposed visitors' clubhouse expansion, the PNATS sole remedy to such refusal by the County, would be to continue to play in the unimproved stadium for the remainder of the lease term, or to relocate to another facility at no cost, or liability, to the County;

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- 3) Any costs of funding the proposed visitors' clubhouse expansion, beyond the \$230,000 appropriated hereby, will be borne by the PNATS in full. The Potomac will provide the Department of Parks and Recreation with price quotes from three (3) separate contractors to demonstrate reasonableness of costs;
- 4) The Department of Parks and Recreation shall review and indicate concurrence with the proposed improvements before construction commences, and shall review and approve the completed improvements. Upon completion of the work and approval to the satisfaction of Potomac Nationals and the County, and upon receipt of invoices from the contractor to the Potomac Nationals, the County shall immediately release the funds payable to Potomac Nationals;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors does hereby establish a Capital Improvement Project for the Pfitzner Stadium;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors does hereby authorize the Director of Finance to amend the Fiscal Year 2016 Budget to budget and appropriate \$230,000 for estimated encumbered purchase orders and contracts and unencumbered capital construction balances for this project as of June 30, 2015;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors does hereby authorize a public hearing to consider approval of a lease agreement between Prince William Board of County Supervisors and Prince William Professional Baseball Inc. for the use of G. Richard Pfitzner Stadium through 2018.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Budget Director

Finance Director

CIP Coordinator

ATTEST: _____
Clerk to the Board



Melissa S. Peacor
County Executive

COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT
1 County Complex Court, Prince William, Virginia 22192-9201
(703) 792-6600 Metro 631-1703 FAX: (703) 792-7484

BOARD OF COUNTY SUPERVISORS

Corey A. Stewart, Chairman
Maureen S. Caddigan, Vice Chairman
Pete Candland
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Jeanine M. Lawson
Michael C. May
Martin E. Nohe
Frank J. Principi

June 10, 2015

TO: Board of County Supervisors

FROM: Debra D. Andrew
Parks and Recreation Director *DA VM*

THRU: Melissa S. Peacor
County Executive

RE: Transfer, Budget and Appropriate \$230,000 from the Contingency Reserve for Pfitzner Stadium Clubhouse Improvements and Establish a Capital Improvement Project for Pfitzner Stadium, and Authorize a Public Hearing to Consider Execution of a Lease Agreement Between the Prince William Board of County Supervisors and Prince William Professional Baseball Inc. for the use of G. Richard Pfitzner Stadium through 2018 - **Occoquan Magisterial District**

I. Background on the subject in chronological order is:

- A. Potomac Nationals Minor League Baseball - For 31 seasons, the Potomac Nationals Minor League Baseball Team (PNATS) has provided recreational and tourism opportunities to Prince William. Approximately 200,000 spectators, totaling over six million people, have attended PNATS baseball games. Additionally, the PNATS have created almost 6,500 part-time and full-time jobs over the 31 years of play.
- B. Property Acquired – The land for the Prince William County Stadium Complex was acquired in 1982. The stadium was completed in 1984 and leased by the Park Authority to the Prince William Baseball Inc. (d.b.a. Potomac Nationals) for use as a minor league baseball stadium. With the merger of the Park Authority and the County in 2012, the County became the lessor under the lease and the County assumed all commitments and responsibilities set forth in the lease.
- C. Current Lease Approved – On March 27, 2009, the Park Authority Board approved a stadium lease with the Potomac Nationals with an expiration date of December 31, 2010. Four addenda to the 2009 lease agreement provided for lease extensions and agreements for improvements made to the home locker room, field renovations, maintenance responsibilities and construction of a batting cage cover.

II. Current Situation is as follows:

- A. Board Directive - On May 19, 2015, at the request of Supervisor May, the Board directed staff to review a request from the Potomac Nationals for \$230,000 to fund an expansion and renovation of the stadium necessary to allow minor league play to continue beyond the 2015 season. The request is attached (Attachment).
- B. Stadium Lease Expires – The current lease with the Potomac Nationals for the use of Pfitzner Stadium expires December 31, 2015 with no further extensions available. A revised lease, extending until December 31, 2018, is currently being reviewed by County staff and the Potomac Nationals.
- C. Variance Through 2015 Season – In 2011, the President of Minor League Baseball granted a variance from field grade standards specified in the Major League Rule (“MLR”) 58 Facility Standards and permitted minor league play to continue at Pfitzner Stadium through the conclusion of the 2015 season. The terms of the variance stated that the President of Minor League reserved the right to require additional corrective measure to bring the field into full compliance with MLR 58 Facility Standards if the Potomac Nationals have not opened a new stadium by 2016.
- D. Minor League Baseball – The Baseball Club is now advising the County that Minor League Baseball will not allow the team (PNATS) to play at Pfitzner Stadium beyond the 2015 season unless improvements are made to the visitors’ clubhouse. According to the Potomac Nationals, the extent of the required improvements has been determined through a ruling by the President of Minor League Baseball and is not necessarily based on MLR 58 Facility Standards. Proposed improvements to the visitors’ clubhouse include: 1,000 additional square feet of space, addition of a trainer’s room, enlarged manager’s office, installation of an additional toilet and shower heads, and replacement of all bathroom fixtures. The President of Minor League Baseball has provided written confirmation to the Potomac Nationals that if these improvements are completed prior to the 2016 season, then the variance referenced above will be extended through the 2018 playing season.
- E. Funding Identified – Funding to support the visitors’ clubhouse project has been identified in the Contingency Reserve. This reserve currently has a balance of \$454,000. The transfer, budget, and appropriation of these funds are contingent upon the following:
- The County and the Potomac Nationals entering into a lease for Pfitzner Stadium running through at least 2018 on terms acceptable to both parties.

- The terms of such lease shall include a provision clarifying that should Minor League Baseball require any additional improvements to any aspect of the Pfitzner Stadium complex and its supporting infrastructure, the County has no legal or moral obligation to fund or construct any such improvements. Moreover, if the County should decide, in its sole discretion, not to fund or construct any future improvements requested or required by the Potomac Nationals or Minor League Baseball, other than the proposed visitors' clubhouse expansion, the Potomac Nationals sole remedy to such refusal by the County would be to continue to play in the unimproved stadium for the remainder of the lease term, or to relocate to another facility at no cost or liability to the County.
 - Any costs of funding the proposed visitors' clubhouse expansion, beyond the \$230,000 appropriated hereby, will be borne by the Potomac Nationals in full. The Potomac Nationals will provide price quotes from three (3) separate contractors to demonstrate reasonableness of costs.
 - The Department of Parks and Recreation shall review and indicate concurrence with the proposed improvements before construction commences, and shall review and approve the completed improvements. Upon completion of the work and approval to the satisfaction of the Potomac Nationals and the County, and upon receipt of invoices from the contractor to the Potomac Nationals, the County shall immediately release the funds payable to Potomac Nationals.
- F. Project Timeline – It is anticipated that the construction of the clubhouse expansion will begin as soon as funding has been approved by the Board of County Supervisors (BOCS) and appropriate permits have been obtained. The intention is to construct the addition during the 2015 season when the team is playing out of town.
- G. Additional Capital Maintenance – The existing stadium structure is 31 years old and elements of the seating area are showing deterioration. Two areas of particular concern are as follows:
1. Main Grandstand Steel Structure - In 2014, a structural analysis was completed on the main grandstand portion of the stadium identifying areas that need to be repaired to ensure the ongoing safety of the spectators. The analysis recommended repairs beginning in 2015 and the Parks and Recreation Department is planning to complete the needed repairs following the 2015 season. The cost estimate for these repairs is \$390,000. The Parks and Recreation Department plans to pay for this expenditure out of the \$1.4 million allocated for cyclical maintenance in the Parks Department in the FY16 budget.

2. Stadium Lighting - The stadium field lighting is 31 years old and has never been replaced. Over the past two seasons, there have been a number of repairs to address lighting outages. Both the existing and proposed lease provide that the County will control the ball field lighting system so as to insure proper light. In order to insure consistent field lighting for the stadium for the next three years, it may be necessary to replace the existing lighting system in part or in whole depending on the cause of any future outages. Parks and Recreation have obtained cost estimates ranging from \$275,000 for replacing only the underground wiring to \$750,000 for replacing the entire lighting system. Parks and Recreation shall make every effort to keep the existing light system operational for the duration of the lease extension; however, if it becomes necessary to replace major elements of the lighting system, the Parks and Recreation Department will be asking the Board to provide funding for these improvements since these funds are not currently available in Parks and Recreation budget.

- H. Board Action Requested – The Board of County Supervisors is requested to transfer, budget and appropriate \$230,000 from the Contingency Reserve for Pfitzner Stadium Clubhouse improvements and establish a Capital Improvement Project for Pfitzner Stadium, and authorize a public hearing to consider execution of a lease agreement between the Prince William Board of County Supervisors and Prince William Professional Baseball Inc. for the use of G. Richard Pfitzner Stadium through 2018.

III. Issues in order of importance are:

- A. Timing – What are the timing issues related to the lease agreement and appropriation of the funds?
- B. Fiscal Impact – Is there a financial impact to the County associated with the appropriation of funds?
- C. Legal – Has the lease agreement been reviewed by the County Attorney’s office?
- D. Service Level/Policy Issue – How does approving the lease agreement and appropriating these funds impact service level to the citizens?

IV. Alternatives in order of feasibility are:

- A. Transfer, Budget and Appropriate \$230,000 from the Contingency Reserve for Pfitzner Stadium Clubhouse Improvements and Establish a Capital Improvement Project for Pfitzner Stadium, and Authorize a Public Hearing to Consider Execution of a Lease Agreement Between the Prince William Board of County Supervisors and Prince William Professional Baseball Inc. for the use of G. Richard Pfitzner Stadium through 2018.

1. Timing – Minor League Baseball has indicated improvements are needed to the visitors’ clubhouse before the start of the 2016 playing season or the team will no longer be able to play at Pfitzner Stadium. The Baseball Club intends to commence final design and construction of the improvements as soon as the funding is approved so that the improvements will be in place during a portion of the 2015 season. The lease agreement will provide the County assurance that, in exchange for the investments made in the stadium improvements, the PNATS will play at Pfitzner Stadium through the 2018 season.
2. Fiscal Impact – The funds required for the County’s support of the clubhouse expansion (up to \$230,000) are currently available in the County’s Contingency Reserve Fund. This fund currently has a balance of \$454,000.
3. Legal – The lease agreement was drafted, reviewed and negotiated by the County Attorney’s Office. BOCS action is required to transfer, budget and appropriate these funds in the FY15 budget.
4. Service Level/Policy Issue – Approving the new lease agreement and the funds for the clubhouse expansion will allow the PNATS to continue to play at Pfitzner Stadium beyond the 2015 season. This provides the residents of the County the opportunity to watch a Minor League Baseball team at a reasonable price, inside Prince William County.

B. Take No Action

1. Timing – Without BOCS action at this time the project may not be completed before the current lease expires.
2. Fiscal Impact – None
3. Legal – None
4. Service Level/Policy Issue – Minor League Baseball will not allow the PNATS to continue to play at Pfitzner Stadium past the 2015 season. The team will need to find an alternative location to play, and that may result in the team leaving Prince William County.

- V. **Recommendation** is that the Board of County Supervisors concur with Alternative A and approve the attached Resolution.



POTOMAC NATIONALS
CAROLINA LEAGUE AFFILIATE OF THE WASHINGTON NATIONALS

May 4, 2015

Prince William County Board of Supervisors
Corey Stewart, Chairman
1 County Complex Court
Prince William, VA 22192

RE: Request for funding for renovation at Pfitzner Stadium

Dear Mr. Chairman,

The Potomac Nationals, who have leased Pfitzner Stadium since 1984, respectfully request that funding in the amount of \$230,000 be provided to the Potomac Nationals to expand and renovate the existing visiting team clubhouse. In 2011, the President of Minor League Baseball issued a waiver of the standards for playing facilities to allow for the team to continue playing at Pfitzner Stadium through the 2015 season. If funding for the changes to the visiting team clubhouse is approved, the President of Minor League Baseball will agree to grant permission for the team to continue to play at Pfitzner Stadium through the 2018 season (see attached letter).

The planned changes to the visiting team clubhouse include increasing the size by 50%, creating individual offices for managers, increasing general space for the team, and replacing fixtures that are 31 years old and which were inadequate at the time of construction. The clubhouse is used by coaches and players from 7 other minor league teams who consistently complain about its inadequate facilities. As this clubhouse currently does not meet the Facility Standards set forth by Major League Baseball, these changes create an improvement that will be meaningful, and therefore, the extension through 2018 will be granted.

In addition, if the cost of the renovation exceeds \$230,000 then the overage will be paid for by the Potomac Nationals.

Sincerely,

Lani Weiss
President

cc: Melissa Peacor, County Executive
Art Silber
Seth Silber

SUMMARY COST ESTIMATE

Tovan Bid Form: 212

Project: Date: Visiting Club House Expansion
Location: 7 County Complex Court Woodbridge, Va 22192
Contractor: Tovan Construction, Inc.

Date: 5/14/15

Design Engineering, General Construction
 Gross Square Footage in Project: 900 Sq. Ft. Clubhouse

<i>Item</i>	<i>Description of Work Code</i>	<i>Percent of Net Costs</i>	<i>Average Cost Per GSF</i>	<i>Total Cost</i>
010-00	Total General Requirements			19,138
011-00	Engineering, Permitting			4,000
021-00	Total Earth Work			5,000
022-00	Total Site Utilities			0
023-00	Total Roads And Walks - Repairs as necessary			3,500
024-00	Total Site Improvements			0
025-00	Total Lawns and Planting - Trees, Sod			1,500
026-00	Total Unusual Site Conditions - Independent Locator Power Light poles Etc.			1,800
027-00	Total Underground Construction			5,200
028-00	Demolition			4,000
030-00	Total Concrete			19,600
040-00	Total Masonry			26,300
050-00	Total Metals / Bar Joists			18,950
060-00	Total Carpentry			10,000
071-00	Total Waterproofing			2,500
072-00	Total Insulation			1,500
073-00	Total Roofing			5,880
074-00	Total Sheet Metal			2,000
081-00	Total Doors			5,650
082-00	Total Windows			0
092-00	Total Drywall		50.00 per bd	2,340
093-00	Total Tile Work		18.00 sq ft	400
094-00	Total Acoustical		900 Sq. Ft	3,500
096-00	Total Painting			4,000
100-00	Total Specialties			1,200
111-00	Total Special Equipment			0
112-00	Total Appliances			0
122-00	Total Carpeting		45.00 sq yd.	5,400
130-00	Total Special Construction			2,500
151-00	Total Plumbing			4,600
152-00	Total HVAC		Sheet metal Inc.	1,750
160-00	Total Electric		Fixtures Inc.	12,650
170-00	Fencing			11,000
180-00	Miscellaneous			15,000
190-00	Net Construction Costs (021-00 Through 180-00)			177,720
200-00	Builder's General Overhead 10%			19,138
210-00	Bond Premium			0
220-00	Builder's Profit 10%			17,720
230-00	General Requierments			17,720
240-00	Total Construction Costs			232,298



Pat O'Conner
President
Chief Executive Officer

VIA U.S. MAIL & EMAIL

May 7, 2015

Art Silber
Potomac Baseball, LLC
8158 Native Dancer Road East
Palm Beach Gardens, FL 33418
PNats42@aol.com

Subject: Pfitzner Stadium Variance Extension

Dear Art:

I received the January 12, 2015 request by the Potomac Nationals (the "Club") for an extension of the variance granted in 2011 for Pfitzner Stadium (attached) and the additional information you provided on April 24, 2015 regarding future stadium improvement plans (attached). I hereby grant an extension of that variance through the 2018 playing season provided that the following stadium improvements are completed prior to the 2016 playing season:

Visitor Clubhouse Improvements

- a. Expansion creating an additional 1,000 square feet of space
- b. Addition of a trainer's room
- c. Enlarged manager's office
- d. Installation of additional toilets and shower heads
- e. Replacement of all bathroom and shower fixtures

Please note that the Club's failure to comply with the conditions imposed as part of the original grant of variance or the Club's inability to timely complete the stadium improvements listed above may result in penalties as set forth in the applicable rules. If the Club has not opened a new stadium by 2019, the President reserves the right to require additional corrective measures to bring the stadium into full compliance with MLR 58 Facility Standards.

If you have any questions about the variance, please contact Tim Brunswick.

Sincerely,

Pat O'Conner
President
The National Association of Professional Baseball Leagues, Inc.

cc: John Hopkins
Fred Seymour
Tim Brunswick



National Association of Professional Baseball Leagues, Inc.
Professional Baseball Promotion Corp.

Robert Fountain

From: PNats42@aol.com [mailto:PNats42@aol.com]
Sent: Friday, April 24, 2015 9:45 AM
To: Pat O'Conner
Cc: Scott Poley; jweiss@potomacnationals.com; ssilber@wsgr.com
Subject: Potomac Nationals

Pat.....

Please excuse my doing this in an email without a formal letter. A sign of the times and the fact that I have to do this myself.

You notified us that we had until May 1 to get back to you with potential improvements to Pfitzner Stadium so that the waiver you granted which expires at the end of this season could be extended.

Lani, Seth and I have had numerous meetings with County staff and senior elected officials and they have been most supportive and cooperative. Their prime objective is to see us in a new ball park at the Potomac Town Center on 95 and on Monday we are meeting with them to review a new and rather innovative method of financing construction.

Hopefully that will be a discussion that we can have a little further on.

They also recognize that the existing facility is 31 years old and past staff has not done a good job in maintaining the facility. In the last four years, including the visiting team club house project, they would have spent along with us over \$1,000,000 in upgrades including a state of the art field and drainage system, home team club house expansion so that now major league players on rehab prefer to do so with us, new covered batting tunnels and now the visiting team club house expansion.

The visiting team club house is on a high school level with 30 year old bathrooms and fixtures. The expansion would in total create over 1,000 additional square feet, separate trainer area which does not now exist, new enlarged managers office and larger club house space with additional storage capability. All bathroom and shower fixtures will be replaced and additional shower heads and toilets will be added.

We will be responsible for any cost over run.

I've attached a draft resolution prepared for Board approval by the Deputy County Executive and their Counsel. It is their intent, subject to your granting an extension, to approve the resolution at a Board Meeting in May, but no later than June. They also reasonably would like the waiver extended through the 2018 season justified by their willingness to continue to upgrade the facility. They also believe that with their help, we will be in a new ball park by 2018 or 2019.

Thank you for your help and consideration.

Art



VIA EMAIL & U.S. MAIL

August 19, 2011

Art Silber
Potomac Baseball, LLC
8158 Native Dancer Road East
Palm Beach Gardens, Florida 33418
PNats42@aol.com

Subject: Pfitzner Stadium Variance Request

Dear Art:

I am in receipt of the August 8, 2011 letter in which the Potomac Nationals (the "Potomac Club") request that a variance be granted for Pfitzner Stadium. Specifically, the Potomac Nationals have submitted a plan to substantially overhaul the playing field resulting in an improved field grade. However, because the expected final grade after the overhaul would be 29" rather than the 20" specified in the Major League Rule ("MLR") 58 Facility Standards, a variance has been requested that would apply for the 2012-15 playing seasons. For the reasons that follow, I agree that a variance is appropriate subject to the conditions outlined below that must be strictly complied with by the Club.

I. BACKGROUND

A. The 2010 Gould Evans Inspection

On September 20, 2010, Gould Evans issued a facility report concerning Pfitzner Stadium's compliance with the Facility Standards. In addition to noting bare spots and poor drainage in right field, the report stated that the field grade from the mound to the warning tracks by the dugouts was 12" (maximum standard is 6") and the field grade from second base to the outfield warning track was 40+" (maximum standard is 20").¹ A subsequent survey ordered by the Potomac Club found the field grade in the outfield to be 42".

¹ Although Pfitzner Stadium was the subject of Gould Evans inspections in 1993, 1994, 1997, 1999, 2001, 2002, and 2007, the outfield grade was never cited as being noncompliant. The report issued by Gould Evans in 2007 stated that the field grade was compliant. It is highly unlikely that the field grade dropped 20+" in the three (3) years between the 2007 and 2010 Gould Evans inspections.



**National Association of Professional Baseball Leagues, Inc.
Professional Baseball Promotion Corp.**

9550 16th Street N., St. Petersburg, Florida 33716 * P.O. Box A, St. Petersburg, Florida 33731 * (727) 822-6937 * Fax (727) 821-5819

B. Offseason Improvements

On October 18, 2010, Minor League Baseball Vice President of Baseball and Business Operations Tim Brunswick contacted the Potomac Club seeking their plan to address the deficient areas. The Potomac Club responded that it would replace the carpet in the clubhouse and install field drainage in right field prior to the start of the 2011 season.

Before the 2011 season started, improvements were made to the facility including the repair of drainage trenches in the outfield and the start of a \$200,000 construction project to expand the home clubhouse.

C. Field Condition Is An Issue

Shortly after the 2011 season started, the Minor League Baseball Office was contacted by the Baseball Office of the Commissioner ("BOC") with a request to review the condition of the Pfitzner Stadium playing field. Representatives of Minor League Baseball ("MiLB"), the BOC, the Washington Nationals, and the Potomac Club inspected the facility on April 16, 2011 and found poorly installed and maintained drainage trenches and other issues, such as unpadded foul poles and poorly maintained batting cage netting. To allow time to address these problems, the Potomac Club moved its three-game home series beginning on April 18, 2011 to Frederick, Maryland while appropriate repairs to the drainage trenches were completed.

On April 28 representatives of MiLB, the BOC, the Washington Nationals, and the Potomac Club inspected the completed repairs. During this meeting Washington Nationals representatives stated that there were issues with the field grade that needed to be resolved. In response to this complaint, MiLB requested, and the Potomac Club agreed, to hire qualified firms to recommend remedial measures to address the field grade.

D. The Field Is Assessed and Additional Improvements Are Done

Accordingly, on June 7, 2011, following its survey of the field, Brickman Sports Turf Services ("Brickman") suggested field grade renovation options.

On June 20, the infield was resodded and laser-graded under the supervision of Brickman, resolving grade issues with the infield. However, problems remained with the outfield due to undulations and the 42" grade.

During the week of July 4, Prince William County employees resodded worn turf areas in fair and foul territory down the lines, but the work was done poorly and had to be corrected by Brickman.

MiLB executives, including myself, met with you on July 18, 2011 to emphasize the need for the Potomac Club to hire a full-time sports turf manager and to seek quotes from qualified firms to bring the field into full compliance. During that meeting you informed us that Prince

William County would be discussing appropriating funds for field work even though such funds had not been budgeted.

During its July 26, 2011 meeting, the Board of County Supervisors approved using \$300,000 of emergency capital funds to renovate the field. However, the County made the funds contingent upon the Potomac Club receiving a variance for the field grade through the 2015 season while the County and Potomac Club develop a plan for a replacement stadium for the Club.²

At the end of July the Potomac Club hired a full-time sports turf manager to oversee the renovation project and maintain the field on an ongoing basis. In addition to hiring a sports turf manager, the Potomac Club also sought the assistance of Brickman's Murray Cook to obtain a renovation quote and review options related to the outfield field grade. In addition, Iowa Cubs Sports Turf Management also surveyed the field for the same purpose.

E. Impediments to Achieving a 20" Grade

Murray Cook's review found that bringing the grade to 20" would require significant soil movements that could negatively impact the foundational structure of the stands. A 20" field grade would require: (1) an additional \$50,000 to \$100,000 of fill-material, (2) reinforcement of the lower section of the outfield fence to support the additional materials added to the field, (3) raising the outfield fence (may even be necessary with a 29" field grade), (4) raising the second tier signage to correspond with the raising of the outfield fence, and (5) raising the concrete pad underneath the right field seating to maintain a consistent grade of the warning track. Because of these significant structural issues, such renovations would cost in excess of \$850,000.

Short of achieving a 20" grade, Cook reports that a 29" field grade can be achieved that will improve the playability of the field well beyond its current state and will perform in a manner that is difficult to distinguish from a field with a 20" grade. Importantly, the footing and bounce of the ball at the 29" field grade should be no different than that of a 20" grade. Furthermore, the slightly higher surface slope associated with a 29" field grade should help to remove water from the field and reduce rain delays caused by puddles forming in the grass after heavy rainfalls. He also states that individuals not involved in sports field management will be unable to tell any visual difference between a 20" and 29" field grade.

While I would prefer that Pfitzner field have a 20" grade because that is what is specified in MLR 58, the above facts demonstrate that the benefits of a 20" field grade compared to the proposed 29" grade are minimal and that there are serious impediments and potential unintended detrimental consequences to the stadium structure that stand in the way of achieving a 20" grade.

² While not a determining factor, I note that the Prince William County Board of Supervisors has gone to great lengths to authorize emergency funds for renovations. This is no small feat given current economic circumstances and the County's response is to be commended.

F. Proposed Renovation

After receiving bids from multiple firms, including Brickman and Iowa Cubs Sports Turf Management, the Potomac Club has selected Carolina Green Corp. to carry out the proposed field renovation. The proposed field renovation will remove undulations and bring the field grade to a maximum of 29". The top 3" of thatch will be removed from the field. A new irrigation system will then be installed and sand will be added. New infield clay will be added and the mounds and bullpens will be installed. A consistent turfgrass variety will be put down to assist the sports turf manager in maintaining the field more efficiently.

II. VARIANCE TERMS

After a careful review of all of the relevant facts, reports, and circumstances, I grant the Potomac Club a variance permitting the Pfitzner Stadium field to have a maximum 29" outfield grade through the conclusion of the 2015 season subject to the following conditions:

- (1) The Potomac Club must renovate the outfield field grade to a maximum of 29" before the start of the 2012 season;
- (2) The Potomac Club must enter into a contract for the field renovation with a qualified vendor after consultation with MiLB;
- (3) Detailed renovation plans and any subsequent changes to or deviations from those plans must be submitted to MiLB;
- (4) The field shall be constructed and maintained free of undulation with uniform sod coverage where required;
- (5) The outfield grade will be constructed and maintained to not less than 20" and not more than 29";
- (6) Any work done on the field by County employees will be performed under the direct supervision of the Potomac Club's sports turf manager or a qualified contractor hired to perform the renovation;
- (7) Detailed field maintenance plans must be submitted to MiLB on a quarterly basis; and
- (8) The Potomac Club will employ a full-time on-site sports turf manager for so long as the Club plays at Pfitzner Stadium.

The Potomac Club's failure to comply with these conditions may result in penalties as set forth in applicable rules. If the Potomac Club has not opened a new stadium by 2016, the President reserves the right to require additional corrective measures to bring the field into full compliance with the MLR 58 Facility Standards.

Art Silber
August 19, 2011
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If you have any questions about this variance, please contact Tim Brunswick.

Yours very truly,



Pat O'Conner
President
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cc: Jimmie Lee Solomon
Bob Wolfe
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