

Pursuant to A.R.S. §38-431.02, notice is hereby given that the Board of Directors of the Rio Nuevo Multipurpose Facilities District will hold the following meeting, which will be open to the public.

**NOTICE AND AGENDA
FOR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE
RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT**

Tuesday November 5, 2013
11:30 a.m. MST Special Meeting At
260 S. Church, Graham/Greenlee Meeting Rooms
Tucson, Arizona 85701

AGENDA

- 1) **Pledge of Allegiance**
- 2) **Roll Call.** (2 min)
- 3) **Board Meeting Minutes** - Discussion and possible approval of October 23, 2013.
- 4) **Executive Session** - (Approximately 60 Minutes) (Coconino Meeting Room). Upon a public majority vote of members constituting a quorum, the Board of Directors may hold an Executive Session. To comply with §38-431.03(B), all electronic devices, including cell and smart phones, iPads, notebooks, tablets and laptops should be turned off and stored during Executive Session. During Executive Session the following matters will be addressed.
 - a) Pursuant to A.R.S. §38-431.03 (A)(3), (4) & (7) the Board will consult with its attorneys to consider its position, to receive legal advice and to instruct its attorneys regarding the District's position on the contract with the City of Tucson for the conveyance of the Arena Site.
 - b) Pursuant to A.R.S. §38-431.03 (A)(3), (4) & (7) the Board will consult with its attorneys to consider its position, to receive legal advice and to instruct its attorneys regarding the District's position on the contract with the City of Tucson for the conveyance of the Westside Parcel.
- 5) **Chairman's Remarks** (10 Minutes)
- 6) **TCC Arena Update – Discussion Only** (10 Minutes)

The project manager for the District's \$7.8 million renovation of the TCC, Elaine Weaver, will update the Board on the status of this project, the solicitation of the CM at Risk contract for preconstruction design phase services ("Preconstruction Design Phase Contract") and the selected general contractor Concord General Contracting, Inc. ("Concord").
- 7) **TCC Arena Contract – Possible Action** (10 Minutes)

The Board may vote to approve a Preconstruction Design Phase Contract with Concord.

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8) **2013 Audit Update - Possible Action** (15 Minutes)

The statutorily required annual audit of the District's finances for the period ending June 30, 2013 ("2013 Financial Audit") is being performed by BeachFleischman, PC ("BF"). Representatives of BF will present the 2013 Financial Audit and answer questions from the Board. The Board may vote to accept the 2013 Financial Audit.

9) **Arena Site – Discussion Only** (10 Minutes)

Counsel will update the Board on the issues related to the transfer of title of the Arena Site by the City of Tucson to the District that remain unresolved. Depending upon developments prior to the meeting, those issues may include the status of the deed conveying title ("Vesting Deed"), the terms of the draft ground lease for the temporary Greyhound bus terminal ("Ground Lease"), the method of dealing with the City's current parking arrangement on a portion of the site ("Parking Arrangement"), and the claims being made by Peach Properties HM, Inc. ("Peach Claims").

10) **Arena Site – Possible Action on Vesting Deed** (5 minutes)

The Board may vote to direct counsel to take the action necessary to secure delivery of the Vesting Deed into escrow so that title to the Arena Site may be transferred to the District.

11) **Arena Site – Possible Action on Ground Lease** (5 minutes)

The Board may vote to approve the Ground Lease as agreed to by counsel for the District and the City or direct its counsel to seek to modify the terms of the Ground Lease.

12) **Arena Site – Possible Action on Parking Arrangement** (5 minutes)

The Board may vote to direct counsel on preparing the agreements necessary to deal with the Parking Arrangement.

13) **Arena Site – Possible Action on Peach Claims** (5 minutes)

The Board may vote to direct counsel on preparing the agreements necessary to deal with the Peach Claims.

14) **Stantec Consulting Services, Inc. – Possible Action** (5 minutes)

The Board may vote to amend its Professional Services Agreement with Stantec Consulting, Inc. ("Stantec") dated August 29, 2013 to provide for additional services from Stantec.

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15) **NonProfit News Source, LLC - Possible Action** (5 minutes)

At its October 23, 2013 meeting, the Board directed counsel to prepare a professional services contract with NonProfit News Source, LLC (“NNS”) for community relations and marketing services. The Board may vote to approve the professional services contract that has been prepared.

16) **Westside Parcel - Discussion Only** (5 Minutes)

Counsel will update the Board on unresolved issues relating to the transfer of title of the Westside Parcel by the City to the District. Those issues include the eastern boundary of the property (“Eastern Boundary Issues”), issues related to the City’s continued maintenance and monitoring of the environmental wells (“Environmental Well Issues”) and dealing with the archeologically sensitive areas on the property (“Archeological Issues”).

17) **Westside Parcel – Possible Action on Eastern Boundary Issues** (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Eastern Boundary Issues.

18) **Westside Parcel – Possible Action on Environmental Well Issues** (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Environmental Well Issues.

19) **Westside Parcel – Possible Action on Archeological Issues** (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Archeological Issues.

20) **Call to the Audience**

Presentations are limited to 3 minutes per speaker, for 15 minutes in sum. All those interested in speaking should submit a Speaker’s Card that will be made available at the meeting.

21) **Adjournment**