

*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. One or more Board Members may participate in the public session by telephone.*

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

**Tuesday, March 29, 2016**  
1:00 p.m. MST Regular Meeting  
Arizona State Building, Room 222  
Tucson, Arizona 85701

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**AGENDA**

- 1) Pledge of Allegiance**
- 2) Roll Call**
- 3) Board Meeting Minutes** - Discussion and potential approval of February 2, 2016 meeting transcript minutes.
- 4) Executive Session (Room 158)** - Upon a public majority vote of members constituting a quorum, the Board of Directors may hold an Executive Session. To comply with A.R.S. §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 discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the Greyhound terminal relocation, including the review of the due diligence materials on the real property located near Euclid and Broadway (“New Terminal”), the legal and closing requirements if the District moves forward with the identified parcel, the procurement process for construction of the terminal, and the lease terms with Greyhound.
  - b) Pursuant to A.R.S. §38-431.03(A)(3), (4) & (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the Gadsden Mercado annex proposal, including discussion concerning the status of the negotiations with the City of Tucson and developers about partnering to assist in retail development on the Westside.
- 5) Chairman’s Remarks** - The Chairman will provide a brief update on relevant current events, which may include an update on the Tucson Arena activity, area hotel progress and downtown development.
- 6) Financial Report – Update & Discussion Only**

The Board will receive an update from the District’s CFO, Daniel Meyers, on the District’s cash positions. Mr. Meyers will also address any questions that the Board may have.
- 7) Greyhound Land Purchase Agreement – Possible Action**

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The Board will review and discuss the due diligence materials and the status of the District's potential purchase of real property located near Broadway and Euclid for the construction of a new Greyhound bus terminal. Based upon such discussion, the Board may vote to take action which could include authorizing counsel and the executive officers to take all actions necessary to close the purchase of this real property.

**8) Greyhound Terminal Construction – Possible Action**

In the event that the Board votes to proceed with the purchase of the New Terminal real property, the Board will discuss how to proceed with the construction of the necessary improvements. Based upon such discussion, the Board may vote to take action which could include directions to staff, counsel and the executive officers to take the actions necessary to make the necessary improvements in compliance with the District's procurement code and the applicable statutes.

**9) Greyhound Terminal Lease – Possible Action**

In the event that the Board votes to proceed with the purchase and improvement of the New Terminal, the Board will consider and discuss the actions necessary to lease the New Terminal to Greyhound. Based upon such discussion, the Board may vote to take action which could include directions to staff, counsel and the executive officers to take the actions necessary to negotiate, prepare and execute such lease as well as any and all attendant documents.

**10) Mercado Annex Proposal – Possible Action**

The Board has previously committed to help fund a retail project on the Westside, within the District boundaries ("Gadsden Project"). The Board will receive an update on the status of the negotiations to acquire the City's position and to a superior agreement with enforceable and realistic time frames, benchmarks and funding commitments with the developer. Based upon such discussion, the Board may vote to take action, which may include authorizing counsel and the executive officers to prepare, finalize and execute both the agreement with the City and the agreement with the developer.

**11) Bond Refinancing – Discussion Only**

Last year the Board passed a resolution authorizing the refinancing of the City-led bond issue in 2008 in an effort to save over \$5,000,000 which could be repurposed into downtown development. It is anticipated that such refinancing will close on March 31, 2016 with a private placement led by the local BBVA Compass Bank. The Board will hear and discuss the specifics and the benefits of this successful refinancing.

**12) Business Improvement District Tax – Possible Action**

An audit has revealed the TCC complex, owned by the District and leased to the City, has been underpaying this downtown tax which is required of all area property owners. The underpaid amount is \$108,477 annually. The Board will consider and discuss this situation and

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may vote to take action, which could include directing staff, counsel and/or the executive officers to take appropriate action in connection with this situation.

### **13) Policy Maker Address – Possible Action**

The Board will hear a proposal for the District, Pima Community College and Community Partners to co-host an April 8, 2016 luncheon for legislative leaders and members of the Governor’s staff at the Tucson Convention Center (“TCC”). Southern Arizona business leaders will be invited to attend, to tour the new Arena, and to discuss issues facing the State and particularly Southern Arizona. The luncheon costs will be shared with the other co-hosts. Based upon such discussion, the Board may vote to take action which may include directions to staff, counsel and/or the executive officers to participate in this event using a portion of the District’s previously approved marketing budget.

### **14) The Marist on Cathedral Square**

The church is selling, developing and partnering for a major renovation at the cathedral property downtown, across from the TCC. This also involves saving the Marist College – the oldest and largest adobe structure in the State (the “Marist Project”). The Marist Project involves the Foundation for Senior Living, with the developer applying for Low Income Housing Tax Credits (“LIHTC”) for a senior housing project. The developer has already raised \$24 million but remains \$319,000 short of obtaining five points – the maximum number available. The Board’s executive officers have informed the developer that they are in favor of bridging this shortfall and will seek full Board approval for such action. The Board will discuss and may vote to ratify the executive officers’ actions.

### **15) Southwest Gas Easement**

Due to a City of Tucson DOT overlay of Cushing Street scheduled for this year, Southwest Gas plans to replace its existing distribution pipeline serving the greater downtown area (including the TCC) currently located in the Cushing Street right-of-way. Due to the amount of utilities and size of the existing storm drain within Cushing Street, Southwest Gas desires to install a portion of the replacement pipeline within the southerly 50 feet of the TCC property. This would require an easement from the District. The replacement project is scheduled to begin in May of this year, and the City has already pushed back its overlay project to allow Southwest time to complete this project. The Board will discuss the possibility of granting this easement and may vote to take action, which may include authorizing and directing staff, counsel and/or the executive officers to take the actions necessary to prepare, execute and record the necessary easement.

### **16) Westside Parcel – Potential Action**

Pima County is being required to dredge the Santa Cruz River near the District’s Westside Parcel. This process will involve moving tons of dirt to deal with the attendant flood control issues. The County has asked the Board to consider placing this soil on of the landfill portion of the Westside Parcel, which soil the County would then design, shape and grade

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according to the Board's requests. The Board will discuss this proposal and may vote to take action, which may include authorizing and directing staff, counsel and/or the executive officers to take the actions necessary to prepare and execute the appropriate agreements.

**17) Call to the Audience**

Presentations are limited to three (3) minutes per speaker for a total of fifteen (15) minutes. All individuals interested in speaking must submit a Speaker's Card that will be made available at the meeting.

**18) Adjourn**