

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, September 27, 2016
1:00 p.m. MST Regular Meeting
Arizona State Building, Room 222
Tucson, Arizona 85701

AGENDA

- 1) **Pledge of Allegiance**
- 2) **Roll Call**
- 3) **Board Meeting Minutes** - Discussion and potential approval of the transcript minutes of the August 30, 2016 meeting.
- 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 pending terms of the agreement to purchase the real property for the Caterpillar Headquarters (“Cat Parcel”).
 - 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 possibility of assisting Pima County in its efforts to complete its lease of 97 East Congress to Caterpillar for its temporary headquarters.
 - c) 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 and representatives regarding purchasing a parcel of property as part of a redevelopment project in downtown Tucson.
- 5) **Chairman’s Remarks** - The Chairman will provide a brief update on relevant current events, which may include an update on various Board projects including the additional renovations of the TCC Arena for the Roadrunners, the Greyhound Bus Terminal, the Mercado Annex and the AC Marriott Hotel.

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6) Financial Report – Update & Discussion Only

The Board will receive an update from Daniel Meyers on the District’s cash positions and related financial issues. Mr. Meyers will also address any questions that the Board may have.

7) New Greyhound Bus Terminal – Discussion Only

Counsel will provide the Board with an update on and respond to questions concerning the Board’s efforts to obtain financing for the District’s investment in the new Greyhound Bus Terminal.

8) AC Marriott Hotel Parking Garage – Discussion Only

Counsel will provide the Board with an update on and respond to questions concerning the Board’s efforts to obtain financing for the District’s investment in the new AC Marriott Hotel.

9) Caterpillar’s Surface Mining & Technology Headquarters – Possible Action

The Board will consider and discuss the pending agreement to purchase from the City of Tucson (“City”) the Cat Parcel (“Purchase Agreement”). Based upon such discussion, the Board may vote to take action which may include directing staff, counsel and the executive officers to finalize and execute such Purchase Agreement.

10) Boundary Survey for Cat Parcel – Possible Action

As part of the District’s acquisition of the Cat Parcel from the City, a survey to identify the parcel’s precise boundaries is necessary. Such a “Boundary Survey” has been commenced by Ashby Surveying and Drafting, Inc. (“Ashby”), one of the City’s on-call vendors. The Board will discuss and may take the action necessary to formally engage Ashby to complete the Boundary Survey. Such action may include directing staff, counsel and the executive officers to prepare, finalize, execute and effectuate such agreement(s).

11) Archeological Study of Cat Parcel – Possible Action

Before the Cat Parcel may be developed, an archeological study must be conducted on the site. The Board will discuss and may vote to take the actions necessary to initiate and complete such study. The Board’s action may include directing staff, counsel and the executive officers to prepare, finalize, execute and effectuate the agreement(s) necessary to accomplish such study.

12) ALTA/ACSM Survey of Cat Parcel – Possible Action

As part of the development of the Cat Parcel, the Board will consider, discuss and may vote to take the action necessary to engage a surveyor to prepare an ALTA/ACSM survey of the

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site. The Board's action may include directing staff, counsel and the executive officers to prepare, finalize, execute and effectuate the agreement(s) necessary to accomplish such survey.

13) Phase 1 Environmental Site Assessment of the Cat Parcel – Possible Action

The Board will consider discuss and may vote to take the actions necessary to commission a Phase 1 environmental site assessment of the Cat Parcel. The Board's actions may include directing staff, counsel and the executive officers to prepare, finalize, execute and effectuate the agreement(s) necessary to accomplish such assessment.

14) Accelerating Caterpillar's Occupancy of 97 E. Congress – Possible Action

Pima County is leasing 97 E. Congress to Caterpillar ("Cat") as its "Temporary Headquarters" while the District acquires the Cat Parcel and designs and builds its "Permanent Headquarters." Cat is already occupying a portion of the Temporary Headquarters building with approximately 35 Cat executives who have relocated to Tucson. An equal number are preparing to move.

The Indian Health Center ("IHC") has graciously agreed to vacate the rest of the Temporary Headquarters space to make way for Cat and move to a new building downtown also owned by the County. In the due diligence phase, HVAC problems with the IHC's new quarters were identified; problems which could slow IHC's relocation and delay Cat's move into its Temporary Headquarters.

The total cost of repairs to the HVAC system is approximately \$140,000. The County has agreed to contribute \$50,000 and has asked the District to consider funding the balance in order to expedite the IHC relocation and accelerate the relocation of Cat executives into the Temporary Headquarters. The Board will consider and discuss these issues and, based upon such discussion, the Board may vote to take action which may include directing staff, counsel and the executive officers to finalize and execute the documents/agreements necessary to assist in the relocation of IHC and CAT.

15) 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.

16) Adjourn