

*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**

**Monday, July 15, 2013  
2:00 p.m. MST Regular Meeting at  
400 W. Congress Street, Room 158  
Tucson, Arizona 85701**

---

**AGENDA**

- 1) **Pledge of Allegiance**
- 2) **Roll Call.** (2 min)
- 3) **Board Meeting Minutes** - Discussion and approval of minutes of the Board's June 24, 2013 meeting.
- 4) **Executive Session** - (Approximately 60 Minutes) (Room 152). 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), the Board will discuss and obtain legal advice from its attorneys regarding the current posture of the lawsuit in which the District has been sued by Garfield Traub.
  - b) Pursuant to A.R.S. §38-431.03 (A) (3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding the current settlement posture of the lawsuit originally filed by John Kromko and involving the property generally known as the Thrifty Block.
  - c) Pursuant to A.R.S. §38-431.03 (A) (3), (4) & (7), the Board will discuss and obtain legal advice from its attorneys regarding the property referred to as the Arena Site in the District's Settlement Agreement with the City of Tucson.
  - d) Pursuant to A.R.S. §38-431.03 (A) (3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding its position, rights and obligations in connection with the request by Scott Stiteler for financial assistance from the District with the development of a hotel at 5<sup>th</sup> and Congress in downtown Tucson.

*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.*

e) Pursuant to A.R.S. §38-431.03 (A) (3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding its position, rights and obligations in connection with the potential joint development agreement with Nor-Generations, LLC.

f) Pursuant to A.R.S. §38-431.03 (A) (1) & (3), the Board will discuss and obtain legal advice from its attorneys regarding the employment of its legislative representative.

g) Pursuant to A.R.S. §38-431.03 (A) (3) & (7), the Board will discuss and obtain legal advice from its attorneys in order to consider its position and instruct its representatives regarding potential negotiations for the purchase, sale or lease of the real properties near the Tucson Community Center.

h) Pursuant to A.R.S. §38-431.03 (A) (3) & (7), the Board will discuss and obtain legal advice from its attorneys regarding potential negotiations for purchase, sale or lease of real property.

i) Pursuant to A.R.S. §38-431.03(A) (3), the Board will discuss and obtain legal advice from its attorneys regarding the proposal of a real estate investment bank (“Bank”) for a \$100,000,000 “Development Fund” to be made available for local projects within the District’s TIF boundaries.

j) Pursuant to A.R.S. §38-431.03 (A)(1), the Board will consider and discuss the issues of salaries and health benefits for its employees.

**Reconvene board meeting at approximately 3:30.**

5) **Chairman’s Remarks** (10 Minutes)

6) **CFO Report – Possible Action-** (10 Minutes)

Bill Allen, the District’s CFO, will update the board on the District’s cash position and the Executive Officers \$5,000 limit ratification.

7) **Fifth and Congress Hotel Development - Possible Action** (60 Minutes)

Members of the Board have been gathering information about a possible boutique hotel development near the corner of Fifth and Congress Street. Scott Stiteler and his team will make a presentation on this subject to the entire Board, which will include a request for financial assistance from the District. As a result of such presentation, the Board may elect to direct its attorneys to draft appropriate agreements and/or a Notice to Proceed for the Board’s consideration and approval.

*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.*

8) **Arena Site – Discussion Only** - (10 Minutes)

Counsel will update the board on the status of transferring of title regarding the property referred to as the Arena Site in the District’s Settlement Agreement with COT.

9) **Nor-Generations, LLC – Discussion Only** (10 Minutes)

Counsel will update the Board on the potential joint development agreement with Nor-Generations, LLC, which owns certain real property adjacent to the Arena Site. Based upon such presentation, the Board may elect to direct its attorneys to take further action in connection with this potential joint development agreement.

10) **Real Estate Loan Fund – Discussion Only** (20 Minutes)

A real estate investment bank (“Bank”) has proposed to the District a \$100,000,000 “Development Fund” to be made available for local projects within the TIF district. This proposal contemplates the District committing \$15,000,000 to the Development Fund with the Bank (a) arranging for or supplying the difference and (b) managing the Development Fund. The Bank will make a presentation to the Board.

11) **Legislative Representation - Possible Action** (10 Minutes)

Jonathan Paton will make a presentation to the Board. The Board will discuss, consider and possibly direct its staff and/or attorneys to take the actions necessary to engage Mr. Paton as the District’s legislative representative for the next legislative session.

12) **Thrifty Block Development Agreement & Kromko Lawsuit – Discussion Only** (10 Minutes)

Counsel will update the Board on the status of the lawsuit filed by John Kromko against the District and the potential Amended and Restated Development Agreement for the Thrifty Block among the District, the City of Tucson and the developer.

13) **Garfield Traub Lawsuit Against the District – Discussion Only** (10 Minutes)

Counsel will update the Board on the status of this lawsuit.

14) **Procurement Code Amendment – Possible Action** (10 minutes)

At its last meeting, the Board adopted its own “Procurement Code” and requested that counsel draft an amendment to the Procurement Code to address small disbursements for the acquisition of goods and services. The Board’s attorneys will discuss the amendment and answer any questions that the Board may have. The Board may elect to amend the Procurement Code.

*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.*

15) **Salaries and Health Benefits for District Employees – Possible Action** (10 minutes)

The Board will discuss the issue of salaries and health benefits for its employees. The Board may vote to provide health benefits to its employees.

16) **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.

**Adjournment**