

**Minutes for Meeting
Of the Board of Directors of the
Rio Nuevo Multipurpose Facilities District
2:00 pm
Thursday, March 17, 2011**

**Tucson Convention Center, Greenlee Room
260 South Church Avenue
Tucson, Arizona**

A meeting of the Board of Directors of the Rio Nuevo Multipurpose Facilities District was held on Thursday, March 17, 2011 in the Tucson Convention Center, Greenlee Room, 260 South Church Avenue, Tucson, Arizona commencing at 2:00 pm.

1. Roll Call

The meeting was called to order at 2:00 pm.

	Appointee	Present	Absent/ Excused
Jodi A. Bain, Chair	Senate	Y	
Jeff DiGregorio, Member	Tucson		X
Carlotta Flores, Member	Governor		X
Rick Grinnell, Member	Senate	Y	
Mark Irvin, Vice Chair	House		X
Alberto Moore, Secretary	Governor	Y	
Anne-Marie Russell, Member	Tucson	Y	
Victor Soltero, Member	South Tucson	Y	

2. Discussion and possible approval of the March 3, 2011 minutes.

Motion made to approve Minutes from March 3, 2011 by Rick Grinnell, second motion by Alberto Moore; passes 5-0.

3. Announcements from the Chair.

a. Anniversary of Reconstituted Board-Chairperson Bain brought cake for one year Anniversary of the Reconstituted Board. Continued effort is needed for finalization of Fox, Rialto as well as the Governance IGA. The Board will continue to work on the issues of Taxpayer accountability and appreciate everyone's patience as the Board works through each issue and matter.

b. Miscellaneous-The passing of Community Leader, A. Bushnell was mentioned.

4. Treasurer &/or Accounting/Financial Services Selection. Chairperson Bain spoke about the two presentations, one each from (i) Clifton Gunderson and (ii) R & A. It was asked if there were any question for either party. Board members looking at cost for goods, and looking at what services would take place locally. Chairperson Bain finally connected and spoke with Dave Phillips on 3/16/11 after much phone and email tag, about the cost proposal and for this reason Clifton did not have in hand a hand out packet for the Board on costs, etc like R & A did. Chairperson Bain to email out or passed out firms' packets to members for cost comparison at a later date. Counsel Silvyn then stated discussion of costs could take place in general terms in the

meeting. This did take place as to R & A. Motion: Rick Grinnell moved to accept the R&A proposal; Alberto Moore seconded. Passed 5-0. Motion: Victor Soltero moved to have Rick Grinnell be interim acting treasurer; Ann Marie Russell seconded. Passed 5-0

5. **Update, discussion and possible direction/action regarding possible downtown Tucson Beautification/Clean-up Project.** Ethan Orr was asked to describe the Beautification/ Clean-up Project. Ethan introduced Lex Wilcox with La Frontera Social Service. Both have been in discussion with TCC and the Downtown Partnership to put something beautiful and special together. They have the ability to power wash around the area; and to paint some of the area too. He mentioned that he and La Frontera would ask some of those in recovery to volunteer their services and time. (This would be part of their employment plan. The Hispanic Chamber Commence would donate flower/plants.) A question asked was: Who would carry liability insurance for volunteers; Ethan stated that his company would. Board member Alberto Moore asked for a sketch of the proposed work to be done. They plan to start the week of 4/14/11 subject to finalization. The recommendation was to email sketch to Jodi Bain before the 28th of March. There was a question of how many man hours needed, Ethan mention about 120 man hours needed to complete the project.
6. **Update and discussion regarding District Website with possible direction.-** JeffDiGregorio had identified three website designer firms, and will search for two more website designers for April 14th meeting. The three website designers are different. One works for the private sector the second work with the public sector, and the third is a political firm.
7. **Optional Nomination and Selection Process for District Appointments to Boards, Committees and Commissions with discussion and possible direction/actions.** Will be taken up at the April 14th meeting.
8. **Proposed Hotel Projects update: Payment Application, punch list and District motion dated 1/6/11 regarding these items with discussion and possible direction/action.** – On January 27th, the Board through Special Counsel Mortimer sent a payment and lease agreement to Garfield Traub for their review and comments pursuant to the 1.6.11 motion. The document was sent back in redline form to Chairperson Bain on Monday, the 14th of April. Through conference call, with all involved, some progress was made. There are two issues to discuss for remaining punch list items to be remedied: (1) The structural column, and (2) The floor. Board had asked for a 15 year warranty on both punch list items. Garfield Traub response was a 10 year warranty for the structural column, and a five year warranty for the floor. Garfield also was reticent about having a third party structural engineer complete an independent verification of the structural soundness of the Column, The Board reiterated this was necessary and should be required. Garfield Traub, Tuner and Sundt all have rescinded the application for the additional non-approved change orders, which is no longer on the table. Garfield Traub would be willing to meet with the District and the City to discuss the actual payment dollar amounts and their approval by the parties once the payment agreement is finalized and fully executed. Alberto Moore with work with Tommy Obermeir to complete the punch list items and have the floor fixed.
9. **Report from Counsel with potential direction/action from the District:**
 - i. **Depot Plaza Garage Extension.** Executed March 8, 2011 and valid through April 30th.
 - ii. **Status of: (i) Term Sheet for Settlement IGA & (ii) Governance IGA.** No report or update as Mayor and Council did not meet on March 22, 2011 meeting.

iii. **Thrifty Block law suit matter.** Answer has been filed, City has some days left to file theirs.

11. **Call to audience:** Michael Toney was called to discussion

iv. **(Presentations are limited to 3 minutes per speaker. All those interested in speaking should complete and submit a Speaker Card that will be made available at the meeting).**

14. **Future Meeting Dates.**

Tentative dates and times:
April 14, 2011

Taken out of order:

Victor Soltero moved to go into Executive Session at 3:05 p.m.; seconded by Alberto Moore. Passed 5-0.

10. **Executive Session: Upon public majority vote of members constituting a quorum, the Board of Directors may hold and executive session in accordance with A.R.S. §38-431.03 (A), (3) and (7) for legal advice concerning the following matters:**

i. **Status of Term Sheet for Settlement IGA.**

ii. **Proposed Hotel Project payment close-out and punch list items settlement agreement.**

iii. **Treasurer &/or Accounting/Financial Services Potential Provider and Compliance with Statute.**

iv. **Legal representation and requirements for a district.**

v. **Thrifty Block law suit matter.**

Items noticed for Executive Session may be discussed and possible action taken in open session.

1. Victor Soltero moved to come out of Executive Session, Anne-Marie Russell seconded 5-0 at 3:59 PM
2. Anne Marie Russell moved to adjourn; Victor Soltero seconded 5-0. Meeting adjourned at 4:01 PM