

**Minutes for the Meeting
Of the Board of Directors of the
Rio Nuevo Multipurpose Facilities District
2:30pm
Thursday, April 5th, 2012
at
400 W. Congress Street, Room #222, Tucson, Arizona, 85701**

A meeting of the Board of Directors of the Rio Nuevo Multipurpose Facilities District was held on Thursday, April 5th, 2012, at 400 W. Congress Street, Room #222, Tucson, Arizona, commencing at 2:32 p.m.

1. Roll Call.

The meeting was called to order at 2:32 p.m.

	Appointee	Present	Absent
Jodi A. Bain, Chair	Senate	X	
Tim Bathen	Governor	X	
Jannie Cox	Governor		X
Rick Grinnell	Senate	X	
Jeff Hill, Treasurer	Governor	X (via speaker phone)	
Mark Irvin, Vice-Chair	House		X
Alberto Moore, Secretary	Governor	X	
Jonathan Paton	House		X

Counsel:

Special Counsel Brearcliffe

Special Counsel Sundt

Special Counsel Collins: available if necessary via telephone, not present.

Others Present: Michele Bettini, Operations Administrator

Sarah Perkins, University of Arizona graduate student intern

2. Discussion and possible approval of the March 8th, 2012 and March 13th, 2012 meeting minutes.

- Motion by Tim Bathen to accept and approve the March 8th, 2012 and March 13th, 2012 minutes; seconded by Alberto Moore. Passed unanimously, 5-0.

3. Announcements from the Chair.

Chairwoman Bain reminded the board and audience that a standstill stipulation had been entered into for two lawsuits between the City and Rio Nuevo through April 2012. It was also confirmed that the Board was to begin budget planning once Ms. Vos of Regier, Carr & Monroe became available after April 15th, 2012 and the database from last year's budget process was updated with current year information. A preliminary budget presentation should be ready by the first or second scheduled board meeting in May. Jeff Hill, Tim Bathen and Rick Grinnell would be working on it with the Chair. The concept to spend up to \$1 million on District selected and owned restrooms at the TCC previously addressed in meetings was to be revisited with the possible approval of a draft Memorandum of Understanding (MOU) which emerged from mediation on select items as specifically discussed in the mediation.

4. Introduction of Operations Administrator

Chair Bain introduced Michele Bettini as the Operations Administrator for the District. Michele has a background in management, accounting and construction, and has already attended meetings with Alberto Moore at the University of Arizona regarding the TCC bathroom renovations and others.

5. Report from Counsel

i. Tucson Convention Center. Special Counsel informed the Board that the District and City Attorney Mike Rankin had collaborated on the draft proposed MOU from the mediation and that the mediator was also involved in specific language. The Board could vote on and give the MOU the approval for the Notice to Proceed on the restrooms as a result of approving the draft MOU.

ii. Mediation/MOU. Mediation is again scheduled for next week on April 11, 2012 regarding development incentives. Various key stakeholders have or will be contacted by City representatives per the mediation as a suggestion of mediator Zlaket and this is the first meeting of this type.

Chair Bain asked if there was a motion to approve the MOU between the District and City of Tucson. It was reminded that this MOU includes on part that the City will provide up to \$1 million for mechanical hydraulic form bleacher replacement, and the District will provide up to \$1 million for bathroom renovation at the Tucson Convention Center components the District owns and selects, with a positive effort to be made to move forward on the Arena parcel and others as requested by the MOU per mediator suggestion. Rick Grinnell asked if the MOU would then become a public document after both the District and the City approved it. Chair Bain clarified that the Board could elect to make it public or not once approved.

- ▶ Motion to approve the MOU and Notice to Proceed on the bathrooms made by Alberto Moore; seconded by Tim Bathen.

Discussion: Rick Grinnell asked Alberto Moore if he was ok to release the MOU to the public. Alberto Moore responded that he'd rather wait until after the next mediation meeting on April 11th. Tim Bathen stated that he'd like to see the document released immediately. Alberto Moore reiterated his feelings that the release of the document may be wrong at this time. Chair Bain pointed out that since this item was pulled out of mediation, it is subject to public scrutiny.

A vote was called. Motion passed unanimously 5-0.

iii. Open selection process for vendors and/or projects. Special Counsel explained that counsel worked with Michele Bettini to prepare District forms for Request for Qualifications/Request for Proposals/Open Bid Process for approval for use as the formal templates by the District. These would be used for District MOU components if approved which has the TCC bathroom renovation component in it and for any future projects.

- ▶ Motion to approve the forms created to be used as the District's Request for Qualifications/Request for Proposals/Open Bid Process made by Rick Grinnell; seconded by Tim Bathen. Motion passed unanimously 5-0.

Return to 3.

3. Announcements from the Chair

Rick Grinnell requested a return to Item #3, Announcements from the Chair. Mr. Grinnell inquired as to the release of information regarding Board placement of members of the community on the Boards of the Rialto and Fox Theaters. Chairwoman Bain announced that one spot had been filled on each theater's board, and the remaining two spots, one for the Rialto and one for the Fox, were still open and an announcement of their availability would be made public on the District web site in May through May. She also reminded the Board that the positions were on the operating board of each theater

and the positions are meant to represent the District and report back to the District. Rick Grinnell inquired about entering into executive session to further discuss the standstill on the two City/District lawsuits. Tim Bathen pointed out that the standstill had been discussed at prior meetings and directed to be done.

6. Executive Session

There was no executive session.

7. Call to the Audience

No speaker requests.

8. Adjournment.

- ▶ Motion to adjourn made at 2:53 p.m. by Alberto Moore; seconded by Tim Bathen. Passed unanimously 5-0.