

*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, April 25, 2017**  
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 the transcript minutes of the March 28, 2017 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 shall be turned off and stored during Executive Session. During this Executive Session, the following matters will be addressed:
  - a) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding possible acquisition of real property and improvements located within the Broadway Corridor.
  - b) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the contractor's delay in completion of the Greyhound construction and the remedies available to the Board.
  - c) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the status of and next steps in deciding whether and/or when to exercise the Board's option to ground lease the property currently owned by Pima County on Cushing Street and I-10.
  - d) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the status of and next steps in deciding whether and/or when to exercise the Board's option to ground lease the property currently owned by Pima County on Broadway between Scott and 6<sup>th</sup> Avenue.

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e) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding restructuring the agreement with 5 North 5<sup>th</sup>, LLC for the parking garage component of the AC Marriott Hotel.

f) Pursuant to A.R.S. §38-431.03(A)(3), (4) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys regarding the terms of the proposed agreement for the development of a Moxy Hotel on “Unit 3” of the Depot Plaza property.

g) Pursuant to A.R.S. §38-431.03(A)(3), the Board will consult for legal advice on the impact of Governor Ducey signing HB 2213 into law as well as related legislative developments.

5) **Chairman’s Remarks**

The Chairman will provide a brief update on relevant current events, which update may include the Caterpillar, Brings, Mercado, and Sunshine Mile projects and legislation.

6) **Financial Report – Update & Discussion Only**

The District’s CFO Daniel Meyers will provide the Board with an update on the District’s cash positions, and related financial issues and will respond to inquiries from the Board.

7) **Broadway Corridor – Possible Action**

The Board will discuss the possibility of purchasing a parcel of property within the District’s boundaries on Broadway. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board’s desires and authorizing the executive officers to execute such agreements.

8) **Caterpillar’s SM&T Headquarters (Permanent Access) – Possible Action**

The Board will discuss the issues related to amending its professional services agreement with the Smith Group to expand the scope of services to include a design component of the proposed extension of Avenida del Convento. This design and the following improvement will all be done for and paid by the City of Tucson. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board’s desires and authorizing the executive officers to execute such agreements.

9) **Caterpillar’s SM&T Headquarters (Temporary Access) – Possible Action**

The Board will hear an update on the District’s landfill remediation efforts and consider the possibility of using the District’s “Westside Parcel” as the route for the trucks to accomplish such remediation efforts. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board’s desires and authorizing the executive officers to execute such agreements.

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**10) Leo Rich Theatre & Music Hall – Possible Action**

The Board will consider and discuss the possibilities of working with the City of Tucson and the private sector in an effort to improve and renovate either or both of these buildings, each of which lies adjacent to the District's primary component, the Tucson Convention Center. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board's desires and authorizing the executive officers to execute such agreements.

**11) Pima County/Cushing Street Parcel – Possible Action**

The Board has an option to lease the property currently owned by Pima County on Cushing Street just west of I-10. The Board will discuss a proposal that has been made to develop this property. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board's desires and authorizing the executive officers to execute such agreements.

**12) Pima County/Broadway Parcel – Possible Action**

The Board has an option to lease the property currently owned by Pima County on Broadway between Scott and 6<sup>th</sup> Avenue. Interest has been expressed in developing that property in conjunction with the District's pending agreement for the development of the Chicago Store property. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board's desires and authorizing the executive officers to execute such agreements.

**13) AC Marriott/200 Block of Congress – Possible Action**

The Board will hear and discuss an update on the status of the agreement to modify its commitment to purchase the parking garage component of the AC Marriott Hotel and participate in the developers' substantial improvements to the adjacent "200 Block" properties on Congress. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board's desires and authorizing the executive officers to execute such agreements.

**14) Depot Plaza/Moxy Hotel – Possible Action**

The Board will hear and discuss an update on the agreement among Depot Plaza Investors, LLC, 5 North 5<sup>th</sup> Hotel, LLC (collectively "Developers") and the District to resolve potential claims between the Developers and the District and to support the Developers' construction of a Moxy Hotel on Unit 3 of the Depot Plaza property. Based upon such discussion the Board may vote to take action, which action could include directing staff and/or counsel to draft and finalize any and all agreements necessary to implement the Board's desires and authorizing the executive officers to execute such agreements.

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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**