

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.

**AMENDED
NOTICE AND AGENDA
FOR SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT**

Tuesday, March 17, 2020
1:00 p.m. MST Regular Meeting
607 N. 6th Avenue
Tucson, Arizona 85705

Public Access
Call in number is 520 448 0095
Call in code is 679009
Video Access is <https://meet.vastconference.com/67900927>

AGENDA

- 1) Pledge of Allegiance**
- 2) Roll Call**
- 3) Chairman’s Comments / Purpose of the Meeting**

Due to the need for “social distancing” during this coronavirus outbreak the Board will meet in person at the above referenced address. The public will be able to watch and listen to all of the meeting except for the executive session through the use of the forgoing call-in number and GoToMeeting link.

4) Executive Session - 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) and (7), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys and representatives regarding the developer’s requested changes to the “Bautista Apartments” project necessitated by recent clarifications to the federal opportunity zone protocols.

b) Pursuant to A.R.S. §38-431.03(A)(3) and (4), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys and representatives regarding the potential impact of the Coronavirus on concerts and public events at the Fox Theatre and how the closure will likely challenge the economics of the Rio Nuevo owned theater.

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c) Pursuant to A.R.S. §38-431.03(A)(3) and (4), the Board will discuss with, consult with, obtain legal advice from and may instruct its attorneys and representatives regarding the possibility of Tucson Police Department (“TPD”) providing off-duty officers to assist in bar/restaurant security in downtown Tucson. Historically, TPD has not allowed off-duty officers to assist in bar/restaurant security. The Department is considering changing that policy for the downtown entertainment district in an effort to increase police presence, particularly during late night and weekends.

1) Bautista Apartments – Possible Action

In November the Board unanimously approved an investment consisting of \$1.8M in cash and a \$1M promissory note to support this \$72,375,000 dollar mixed-use project. Since then the federal government has issued clarifying regulations that required the developer to alter the structure of the project. The Board will discuss the status of this project. 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.

2) Fox Theatre – Possible Action

In an effort to contain the spread of Covid-19 concerts around the US have been postponed or canceled. Major events like South by Southwest, Coachella and major tours have canceled. Live Nation and other promoters are discontinuing bookings, maybe all summer long. The Fox has grown into the cornerstone of Tucson's music scene and has helped propel Tucson into the 7th ranked music city in the US. However an extended period with no revenue could jeopardize the future of the Fox, which is still owned by Rio Nuevo. The Board will discuss a variety of ways to make sure the Fox Theatre remains viable. 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.

3) Additional Police Coverage Downtown – Possible Action

The TPD is considering a policy change that would allow downtown bars and restaurants to hire off-duty officers. This will be considered overtime and may be cost prohibitive for some District area establishments. The Board will discuss proposals to help the District’s tax-paying entities retain extra police support, especially late nights and weekends. 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.

4) Adjourn