

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. Until the COVID-19 pandemic ceases to be a public health issue, the Board Members will participate in the executive and public sessions by telephone or video platform.

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

**Public Access Information**

You are invited to a Zoom webinar.  
When: October 25, 2022 02:00 PM Arizona  
Topic: Rio Nuevo Board of Directors Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83201046033>

Or One tap mobile :

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Webinar ID: 832 0104 6033

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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 September 27, 2022 board meeting.
- 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 non-essential 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 the status of and issues related to the Board's support for the Fox Theatre.
  - 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 status of and issues related to the former Crescent Smoke Shop.

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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 issues related to the Empire Pizza project.

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 issues related to the Indian Trading Post project.

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 the status of and issues related to a financing proposal by Canyon Bank.

#### 5) **Chairman's Remarks**

The Chairman will provide a brief update on relevant current events, which update may include information related to any and all pending or potential District projects.

#### 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) **2022 Audit Report – Possible Action**

The auditors will present the June 30, 2022 independent audit of the District's finances for the fiscal year ended June 30, 2022. Based upon such presentation and 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) **Fox Theatre – Possible Action**

The Fox Theatre Foundation, under new leadership, has created an opportunity to expand around the corner by acquiring all the adjacent property from Bruegger's south on Stone to the former Bank of America building thereby creating a new entrance, lobby, restaurant and rooftop bar. The District owns the Fox Theatre after reacquiring it from The National Historic Trust. The District Board will hear the plans for the expansion, the economics of the expansion and consider how the District might enable such an iconic 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.

#### 9) **Crescent Smoke Shop – Possible Action**

The vacant 100 year old property known as the Crescent Smoke Shop is in need of significant improvements in order to attract a new tenant to a very important downtown corner. The District Board will consider ways that it can enhance the property including soliciting private sector partners

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similar to the Board's efforts along the Sunshine Mile. 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.

**10) Indian Trading Post – Possible Action**

The Board will discuss the possibility of purchasing the vacant Indian Trading Post property and soliciting a private sector partner in order to activate another important downtown corner. 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) Empire Pizza – Possible Action**

Before the pandemic the District Board voted unanimously to invest up to \$300,000 into Empire Pizza's expansion into the former "Hydra" space immediately next door. The Board will hear how the pandemic disrupted Empire's plans and how Empire is now restarting its expansion 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.

**12) Adjourn**