

Pursuant to A.R.S. §§38-431.02 & 48-4231.01, notice is hereby given that the Board of Directors of the Rio Nuevo Multipurpose Facilities District will hold the following public hearing and meeting.

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

**Tuesday November 19, 2013
2:00 p.m. MST Regular Meeting At
400 W Congress St, Room 158
Tucson, Arizona 85701**

AGENDA

- 1) **Pledge of Allegiance**
- 2) **Roll Call.** (2 minutes)
- 3) **Board Meeting Minutes – Possible Action** (5 minutes)

The Board will discuss and may vote to approve the minutes of the November 5, 2013 Special Board meeting.

- 4) **Auditor General – Public Hearing and Possible Action** (30 Minutes)

The Auditor General of the State of Arizona is required by A.R.S. §48-4231.01 to conduct a performance and fiscal audit of the District every three years. The Auditor General engaged C.H. Johnson Consulting, Incorporated (“Johnson Consulting”) to perform this audit for the period ending August 31, 2013 (the “Performance Audit”). Representatives of Johnson Consulting will discuss their findings and answer questions. After which:

a) The Board will hold the statutorily required public hearing on the Performance Audit’s findings and recommendations, at which time any person wishing to make or submit oral or written comments may do so by filling out the appropriate request forms that will be available at the meeting.

b) The Board may vote to adopt a public response agreeing, agreeing with reservations or disagreeing with each finding and recommendation in the Performance Audit.

- 5) **Executive Session -** (Approximately 60 Minutes) (Room 152)

Upon a public majority vote of members constituting a quorum, the Board of Directors may hold an Executive Session. To comply with §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.

Pursuant to A.R.S. §§38-431.02 & 48-4231.01, notice is hereby given that the Board of Directors of the Rio Nuevo Multipurpose Facilities District will hold the following public hearing and meeting.

a) Pursuant to A.R.S. §38-431.03 (A)(3), (4) & (7) the Board will discuss and obtain legal advice from its attorneys on the issues related to the “Arena Site” property in the District’s Settlement Agreement with the City of Tucson.

b) Pursuant to A.R.S. §38-431.03(A)(3), (4) & (7) the Board will discuss and obtain legal advice from its attorneys on the issues related to the “Westside Parcel” property boundaries and deed.

c) Pursuant to A.R.S. §38-431.03(A)(3), the Board will discuss and obtain legal advice from its attorneys on issues related to the potential adoption of an ethics policy for the Board.

d) Pursuant to A.R.S. §38-431.03(A)(3), the Board will discuss and obtain legal advice from its attorneys on issues related to formally changing the name of the District.

6) **Chairman’s Remarks** (10 Minutes)

7) **TCC Arena Renovation Project – Discussion Only** (10 Minutes)

The project manager for the District’s \$7.8 million renovation of the TCC Arena, Elaine Weaver, will update the Board on the negotiated budget with the selected construction manager at risk Concord.

8) **Arena Site – Possible Action on Parking Arrangement** (5 minutes)

The Board will discuss alternative methods of dealing with existing “Parking Arrangement” on the Arena Site property and may vote to direct counsel to draft appropriate agreements to deal with the Parking Arrangement for the Board’s later consideration and potential adoption.

9) **Arena Site – Possible Action on Peach Claims** (5 minutes)

The Board will discuss the issues raised by Peach Properties HM, Inc. in connection with the Arena Site property (“Peach Claims”) and may vote to direct counsel to draft appropriate agreements to deal with the Peach Claims for the Board’s later consideration and potential adoption.

10) **Arena Site - Possible Action on Joint Development Agreement** (10 minutes)

The Board will discuss the issues related to the possibility of a a joint development agreement with Nor-Gen Land Trust UA (“Nor-Gen”), which owns real property adjacent to the eastern edge of the Arena Site and may vote to direct counsel to draft appropriate agreements with Nor-Gen for the Board’s later consideration and potential adoption.

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11) Westside Parcel - Discussion Only (5 Minutes)

Counsel will update the Board on unresolved issues relating to the transfer of title of the Westside Parcel by the City to the District. Those issues include the eastern boundary of the property (“Eastern Boundary Issues”), issues related to the City’s continued maintenance and monitoring of the environmental wells (“Environmental Well Issues”) and dealing with the archeologically sensitive areas on the property (“Archeological Issues”).

12) Westside Parcel – Possible Action on Eastern Boundary Issues (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Eastern Boundary Issues.

13) Westside Parcel – Possible Action on Environmental Well Issues (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Environmental Well Issues.

14) Westside Parcel – Possible Action on Archeological Issues (5 minutes)

The Board may vote to provide counsel with direction on and the preparation of the documents and/or agreements necessary to deal with the Archeological Issues.

15) Westside Parcel – Possible Action on Urban Land Institute (10 minutes)

The Board will discuss the proposal by the Urban Land Institute for the District, the City of Tucson, Pima County, Pima Association of Governments and Holualoa Companies to share in the cost of providing recommendations on how to develop the area generally known as the Westside (the “Proposal”). The Board may vote to approve the amount that the District will contribute to this Proposal.

16) NonProfit News Source, LLC - Possible Action (5 minutes)

NonProfit News will review with the Board the proposed rules for the name change contest. The Board may vote to adopt, adopt with modification or reject the proposed rules.

17) Ethics Policy-Possible Action (5 minutes)

The Board will consider and discuss the possibility of adopting an ethics policy. Based upon such discussion, the Board may vote to direct counsel to prepare for the Board’s later consideration and potential adoption an ethics policy for the Board.

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18) **Chief Financial Officer's Report – Update & Discussion Only** (10 minutes)

The District's Chief Financial Officer, Daniel J. Meyers, will update the Board on the District's cash positions and answer any questions that the Board may have.

19) **Call to the Audience**

Presentations are limited to 3 minutes per speaker, for 15 minutes in sum. All those interested in speaking should submit a Speaker's Card that will be made available at the meeting.

20) **Adjournment**