

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 BOARD MEETING OF THE BOARD OF DIRECTORS OF THE
RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT**

**Wednesday, October 1, 2014
1:00 p.m. MST
Regular Meeting
Greenlee & Graham Meeting Rooms at Tucson Community Center
Tucson, AZ 85701**

AGENDA

- 1) **Pledge of Allegiance**
- 2) **Roll Call**
- 3) **Board Meeting Minutes** - Discussion and potential approval of August 26, 2014 transcript minutes.
- 4) **Executive Session** (Coconino Room) – 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) & (7), the Board will discuss and obtain legal advice from its attorneys regarding the issues related to the Westside Parcel in the District’s Settlement Agreement with the City of Tucson.
 - b) Pursuant to A.R.S. §38-431.03(A)(3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding the request by Friends of Tucson Birthplace (“FOTB”) for funds to operate Mission Gardens.
 - c) Pursuant to A.R.S. §38-431.03(A)(3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding the 2005 Fox Theatre Amended IGA.
 - d) Pursuant to A.R.S. §38-431.03(A)(3) & (4), the Board will discuss and obtain legal advice from its attorneys regarding a proposed amendment to Intergovernmental Agreement between the City and the District for the renovation of the TCC Arena (“TCC IGA”).

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5) **Chairman's Remarks**

6) **Chief Financial Officer's Report – Update & Discussion Only**

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

7) **TCC Arena Renovation Project – Discussion Only**

The project manager for the District's \$7.8 million renovation of the TCC Arena is Elaine Becherer. Ms. Becherer will update the Board on the relevant progress, status and impending actions.

8) **TCC Arena Renovation Project – Possible Action**

The Board will be informed of additional deficiencies in the facility's kitchen and exhibit hall concession areas that have recently been identified and an explanation of a possible amendment to the TCC IGA to address such deficiencies in a timely, cost efficient fashion; all at the expense of the City of Tucson. As a result of such update, the Board will consider and may take action to approve the amendment the TCC IGA on the scope and amount of reimbursement from the City to the District.

9) **TCC Arena Renovation Project – Possible Action**

Directly related to the scope and reimbursement amendment to the TCC IGA, the Board will consider, discuss and may vote to authorize the amendment of its CM@Risk contract with Concord General Contracting, specifically to amend the Scope of Work and amount of GMP #2 (repairs for which the City is responsible) under the CM@Risk contract.

10) **Mission Garden Update - Possible Action**

In the Settlement Agreement with the City, the District agreed to expend up to \$1.1 million in connection with the Mission Gardens project. At its last meeting, the Board voted to authorize the expenditure of up to \$300,000 of this amount on infrastructure improvements. The Board will receive updates on this project and the preparation of the necessary agreements. The Board may vote to take action based upon such updates.

11) **Fox Theatre – Possible Action**

The District's "Forbearance Obligation" set forth in the 2005 Amended Fox IGA expired on September 20, 2014. Counsel will update the Board on the impact of this event and the options available to the Board. The Board may vote to take action based upon such update.

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12) Eckbo Fountain Project – Discussion Only

Helen Erickson will update the Board on this public-private sector partnership for the restoration of these fountains and the surrounding area.

13) Arena Lot RFP – Discussion Only

Counsel will update the Board on the status of negotiations with Nor-Generations, LLC and the protest filed by Peach Properties HM, Inc.

14) Westside Parcel – Discussion Only

The Board will hear an update on the progress towards the District obtaining title to this property pursuant to the Settlement Agreement with the City and on proposals and requests related to this parcel.

15) Westside Parcel – Possible Action

The District has an existing contract with The WLB Group, Inc. in connection with the Westside Parcel (the “WLB Contract”). The Board will discuss and may vote to amend the WLB Contract to authorize additional expenditures for soil and gas testing by WLB.

16) January 8th Memorial – Possible Action

The Board will hear a presentation on and a request for financial contribution towards a proposed downtown January 8th Memorial. The Board may vote to take action based upon such presentation and request.

17) Streetscape Proposal - Possible Action

In the Settlement Agreement with the City, the District agreed to appropriate and expend up to \$750,000 to fund City-approved streetscape improvements within the downtown core portion of the District site. The Board will hear a presentation from Michael Keith to have the Downtown Tucson Partnership manage and leverage these funds and may vote to take action based upon such proposal.

18) 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.

19) Adjourn