

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, March 28, 2017
1:00 p.m. MST Regular Meeting
Arizona State Building, Room 222
Tucson, Arizona 85701

AGENDA

- 1) **Pledge of Allegiance**
- 2) **Roll Call**
- 3) **Board Meeting Minutes** - Discussion and potential approval of the transcript minutes of the February 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 the terms and status of the agreements necessary for the District's participation in the development of the Moxy Hotel on the Depot Plaza property by Depot Plaza Investors, LLC ("DPI") and 5 North Fifth Hotel, LLC ("5N5th").
 - 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 terms and status of the agreements necessary to modify the District's obligations to 5N5th, the developer of the AC Marriott Hotel, and to support the developer's enhancement of 256-278 East Congress, Tucson, Arizona ("200 Block").
 - 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 regarding the District's proposed incentives to support the decision by Hexagon Mining, Inc. ("Hexagon") to not only remain in Tucson but to expand its presence and locate its North American Headquarters in downtown Tucson's City Park.

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5) **Chairman’s Remarks**

The Chairman will provide a brief update on relevant current events, which update may include the Caterpillar project, hotel 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) **Sunshine Mile – Possible Action**

At its last meeting, the Board tentatively authorized the expenditure of up to \$75,000 to engage the services of New York based Project for Public Spaces (“PPS”) to help plan for the Board’s potential redevelopment of various parcels within the “Sunshine Mile” portion of the Broadway corridor. Representatives from PPS will provide the Board with their early thoughts on opportunities along Broadway and respond to inquiries from the Board. Based upon such discussion, the Board may vote to take action which could include directing staff and/or counsel to prepare all of the necessary agreements to implement the Board’s desires and authorizing the executive officers to execute such agreements.

8) **Caterpillar / Avenida del Convento – Possible Action**

In connection with the District’s development of Caterpillar’s SM&T Headquarters, the City of Tucson (“City”) is in the process of making improvements to Avenida del Convento (“ADC”) which lies on the western edge of the Caterpillar parcel. To take advantage of efficiencies and save time and public money, representatives of the City will make a presentation to the Board outlining the scope of work for the improvement of ADC and proposing that the cost of such improvements be added as an additional gross maximum price (GMP #2) to the District’s construction contract with Sundt Construction. Based upon this presentation and discussion, the Board may vote to take action which could include directing staff and/or counsel to prepare all of the necessary agreements to implement the Board’s desires and authorizing the executive officers to execute such agreements.

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

At its last meeting, the Board directed its counsel to work with the attorneys for Scott Stiteler’s entities DPI and 5N5th to prepare for the Board’s review and consideration the agreements necessary for the Board to support 5N5th’s efforts to construct a Moxy Hotel on the undeveloped portion of the Depot Plaza property. The Board’s counsel will update the Board on the status of those efforts and respond to the Board’s inquiries. Based upon such update and discussion, the Board may vote to take action which could include directing staff and/or counsel to finalize all of the necessary agreements to implement the Board’s desires and authorizing the executive officers to execute such agreements.

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10) **AC Marriott / 200 Block – Possible Action**

At the Board's last meeting, the Board directed its counsel to work with the attorneys for 5N5th to prepare for the Board's review and consideration the agreements necessary for the Board to support 5N5th's efforts to enhance the 200 Block of Congress and relieve the District of its obligation to purchase the parking garage component of the AC Marriott Hotel. The Board's counsel will update the Board on the status of those efforts and respond to the Board's inquiries. Based upon such update and discussion, the Board may vote to take action which could include directing staff and/or counsel to prepare all of the necessary agreements to implement the Board's desires and authorizing the executive officers to execute such agreements.

11) **Hexagon Mining, Inc. – Possible Action**

The Board will consider and discuss its participation in the economic incentives that were instrumental in convincing Hexagon to remain and expand its presence in Tucson and to locate its North American Headquarters in the City Park development in downtown Tucson. Based upon such discussion, the Board may vote to take action which could include directing staff and/or counsel to prepare all of the necessary agreements to implement the Board's desires and authorizing the executive officers to execute such agreements.

12) **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.

13) **Adjourn**