

**RIO SALADO CROSSING MULTI-PURPOSE FACILITIES DISTRICT
BOARD OF DIRECTORS' MEETING**

The Board of Directors of the Rio Salado Crossing Multi-purpose Facilities District met in a Board Meeting in the City of Mesa Lower Level Council Chambers, 57 East 1st Street, Mesa, Arizona, on January 14, 1999 at 5:07 p.m.

BOARD PRESENT

Marty Whalen, Chairman
Pat Gilbert
Marjorie Heckman
Dave Johnston
Jim Lykins
Roseann Sweet

STAFF PRESENT

Linda Crocker
Mike Hutchinson
Barbara Jones
Larry Woolf
Others

OTHERS PRESENT

George Pettit
Robbie Sherwood
Bill Sims
Fred Williams

BOARD ABSENT

None

**MESA COUNCIL
PRESENT**

Jim Davidson

1. Adopt minutes from the January 7, 1999 meeting.

Boardmember Sweet noted that Scott Rigby's name was misspelled in the January 7, 1999 minutes.

It was moved by Boardmember Johnston, seconded by Boardmember Sweet, that the minutes of January 7, 1999 be approved as amended.

Carried unanimously.

2. Consider and possible approval of a Memorandum of Understanding incorporating the approved Term Sheet. (MOU to be sent under separate fax by counsel.)

Legal Advisor Bill Sims stated that the proposed Memorandum of Understanding incorporates the Term Sheet that was approved by the Board and all of the participating City/Town Councils. Mr. Sims advised that although extensive corrections have been made to the document, two typographical errors remain to be corrected and outlined the minor revisions to the document.

It was moved by Boardmember Gilbert, seconded by Boardmember Lykins, that the proposed Memorandum of Understanding incorporating the Term Sheet be approved and adopted and that the Chair be authorized to execute that document on behalf of the District.

Carried unanimously.

3. Consider and possible approval of resolution calling for a District election on May 18, 1999.

The City's Bond Counsel, Fred Williams, advised that in accordance with regulations in place for Special Districts, the election must be called not less than 120 days prior to the actual date of the election. Mr. Williams also highlighted other requirements that must be met in order to comply with current laws.

Mr. Williams noted that all three participating City/Town Councils have voted in support of placing this issue on the ballot of the May 18, 1999 election and indicated that the formal calling of the election should occur. Mr. Williams referred to the proposed resolution and noted that the document designates May 18, 1999 as the election date and technically calls the election. Mr. Williams added that the proposed resolution also adopts the following ballot question: "Shall the District be authorized to use State Transaction Privilege Tax (sales tax revenues) generated by the Rio Salado Crossing Project as permitted by law from time to time for such project? Such usage may include among other things the pledging of such revenues to secure the District's bonds or other financial obligations issued or incurred for the construction of multipurpose facilities within the project."

Mr. Williams informed the Boardmembers that Item No. 2 in the resolution provides that the project will be more fully described in the voter information pamphlet; Item No. 3 relates to voter registration; Item No. 4 relates to polling place hours and locations that are designated by the Maricopa County Elections Department; and noted that Item No. 5 authorizes the appropriate members of the District staff to take all actions necessary to facilitate the holding of the special election.

Discussion ensued relative to publication requirements, Spanish translations, the contents of the publicity pamphlet and the ballot questions.

It was moved by Boardmember Lykins, seconded by Boardmember Sweet, that the proposed Resolution and accompanying ballot language be approved and adopted.

Boardmember Johnston recommended that a District resolution numbering system be implemented to assist in the tracking of the various District resolutions.

Carried unanimously.

4. General information and scheduling of future meetings.

Discussion ensued among the members of the Board relative to future meetings and it was determined that a Board Meeting followed by an Executive Session would be scheduled for Monday, January 25, 1999 at 5:00 p.m. Chairman Whalen added that the Board Meeting will reconvene following the Executive Session.

5. Adjourn.

The meeting adjourned without objection at 5:41 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Board of Directors' Meeting held on the 14th day of January 1999. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of January 1999

JIM LYKINS, BOARD SECRETARY

RESOLUTION NO. RSD3

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RIO SALADO CROSSING MULTIPURPOSE FACILITIES DISTRICT CALLING A SPECIAL ELECTION ON MAY 18,1999 TO SUBMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF USING CERTAIN STATE TRANSACTION PRIVILEGE TAX (SALES TAX) PROCEEDS TO SUPPORT THE RIO SALADO CROSSING PROJECT

WHEREAS, the Rio Salado Crossing Multipurpose Facilities District (the "District") has previously requested the respective City and Town Councils of Gilbert, Mesa and Queen Creek for approval to place a question on the ballot at a special election of the District to be held on May 18, 1999, seeking voter approval for the use of state transaction privilege tax (sales taxes) revenues to support the Rio Salado Crossing Project (the "Requests"); and

WHEREAS, each of such City or Town Councils has approved the Requests; and

WHEREAS, the Board of Directors of the District believes it is in the best interests of the District to give the voters of the District the opportunity to determine whether certain state sales tax revenues shall be used to support the Rio Salado Crossing Project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RIO SALADO CROSSING MULTIPURPOSE FACILITIES DISTRICT, AS FOLLOWS:

1. Designation of Election Date; Purposes; Call of Election.

That May 18, 1999, is designated as the date for holding a Special Election in the District for the purpose of voting on a question seeking voter approval for the use of state sales taxes to support the Rio Salado Crossing Project, in substantially the form set forth in Exhibit A, attached hereto and incorporated herein by reference. Pursuant to state law the Board of Directors hereby calls the election to be held on May 18, 1999.

2. Description of Rio Salado Crossing Project.

For purposes of this resolution, the Rio Salado Crossing Project shall consist of stadium and convention center facilities and improvements related thereto as will be more fully described in the voter information pamphlet distributed with respect to the election.

3. Designation of Deadline for Voter Registration.

Maricopa County registration and voting lists will be used for the Special Election. In order to be qualified to vote, a citizen must be registered to vote by April 19, 1999.

4. Polling Places.

Polling places shall be open from 6:00 a.m. to 7:00 p.m. at such locations as designated by the Maricopa County Elections Department.

5. Authorization to District Staff to Take All Necessary Actions.

The appropriate members of the District staff are hereby authorized to take all actions necessary to facilitate the holding of the special election and to cause all notices required by law to be given, including the entering into of any necessary agreements with the Maricopa County Elections Department.

PASSED AND ADOPTED by the Board of Directors of the District this 14th day of January, 1999.

EXHIBIT A
BALLOT QUESTION

Shall the District be authorized to use state transaction privilege tax- (sales tax) revenues generated by the Rio Salado Crossing Project as permitted by law, from time to time, for such project? Such usage may include, among other things, the pledging of such revenues to secure the District's bonds or other financial obligations issued or incurred for the construction of multipurpose facilities within the project.

RESOLUCION NO. RSD3

RESOLUCION DE LA MESA DIRECTIVA DEL DISTRITO DE LAS INSTALACIONES MULTIUSOS DENOMINADO RIO SALADO CROSSING, CONVOCANDO A UNA VOTACION ESPECIAL EL DIA 18 DE MAYO DE 1999, PARA PROPONER AL ELECTORADO DEL DISTRITO, EL USO DE CIERTOS PRIVILEGIOS DEL IMPUESTO DE TRANSACCION DEL ESTADO (IMPUESTO SOBRE VENTAS) PARA APOYAR EL RIO SALADO CROSSING PROJECT

CONSIDERANDO, que el Distrito de Instalaciones Multiusos Rio Salado Crossing (el "Distrito") ha presentado la peticion a los respectivos Consejos de las Ciudades y Poblaciones de Gilbert, Mesa y Queen Creek para aprobar el incluir una pregunta en la papeleta para votar que se utilizara en la votacion especial del Distrito este 18 de mayo de 1999, y cuya finalidad es la de obtener la aceptacion del electorado para que ingresos generados por el impuesto estatal sobre ventas, sean utilizados en apoyo al Rio Salado Crossing Project (la "Peticion"); y

CONSIDERANDO, que los Consejos de las Ciudades y Poblaciones antes mencionadas han aprobado la Peticion; y

CONSIDERANDO, que la Mesa Directiva del Distrito cree que esta en el mejor de los intereses del Distrito, el dar la oportunidad a los votantes del Distrito de determinar si ciertos ingresos generados por el impuesto estatal sobre ventas pueden utilizarse para apoyar el Rio Salado Crossing Project.

POR LO TANTO, LA MESA DIRECTIVA DEL DISTRITO DE INSTALACIONES MULTIUSOS RIO SALADO CROSSING, RESUELVE COMO SIGUE:

1. Designacion del Dia de Votacion' Finalidad; Convocatoria.

Se ha designado el dia 18 de mayo de 1999 como la fecha en que se realizara la Votacion Especial en el Distrito, con la finalidad de poner a votacion el uso del impuesto estatal sobre ventas para apoyar el Rio Salado Crossing Project, de la manera expuesta en la Exhibicion A, que se encuentra referencia.

anexa como referencia. Con apego a la ley estatal, la Mesa Directiva convoca a una votacion este 18 de mayo de 1999.

2. Descripcion del Rio Salado Crossing Project.

Para finalidades de esta resolucio n, la descriptio n del Rio Salado Crossing Project consiste de un estadio y centro de convencio nes, adem as de toda obra civil relacionada con el mejoramiento de estas instalaciones y que se detallaran mas a fondo en el material informativo que se distribu ira a los votantes.

3. Designacion de la Fecha Limite para Registrarse como Votante.

Para esta Votacion Especial, se utilizaran las listas de registro, y votacion del Condado de Maricopa. Para poder votar, el ciudadano debera de registrarse en el padron electoral antes del 19 de abril de 1999.

4. Casillas para Votar.

Las casillas para votar estarán abiertas de las 6:00 a.m. a las 7:00 p.m. y estarán localizadas en aquellos Aims designados por el Departamento de Elecciones del Condado de Maricopa.

S. Autorización del Personal de la Ciudad para Tomar las Medidas Necesarias.

Aquellos miembros del personal del Distrito autorizados, podrán tomar las medidas necesarias para facilitar el proceso de esta votación especial y procesar y enviar *todos los avisos requeridos por la ley*, incluyendo el registrar todo acuerdo necesario con el Departamento de Elecciones del Condado de Maricopa.

PASADO Y APROBADO POR la Mesa Directiva del Distrito este 14 de enero de 1999.

EXHIBICION A
PREGUNTA EN LA PAPELETA PARA VOTAR

Debería el Distrito autorizar el uso de ingresos del impuesto estatal sobre ventas generados por el Rio Salado Crossing Project, para apoyo del mismo, según lo permita la ley? Tal uso puede incluir, entre otras cosas, el utilizar los ingresos como garantía para asegurar fianzas del Distrito u otra obligación financiera en que se incurra para la construcción de las instalaciones multiusos del proyecto.