

**TOURISM AND SPORTS AUTHORITY**  
**Resolution Authorizing Site Selection Process**

**I. RECITALS**

**WHEREAS**, as a result of the final determination issued on November 17, 2001 by the Federal Aviation Administration, the Tourism and Sports Authority (the "Authority"), through its Board of Directors (the "Board") has determined to terminate construction of the multipurpose stadium facility (the "Facility") at the previously approved site proposed by and located in the City of Tempe; and

**WHEREAS**, pursuant to Arizona Revised Statutes Section 5-801 et seq. (the "Act"), the Board must select a new site for construction of the Facility; and

**WHEREAS**, the Authority has sought and received many recommendations and other constructive input regarding the site selection from interested participants, civic, community and business leaders; and

**WHEREAS**, the Board desires that the site selection process be implemented and conducted in a manner that is fair and encourages public participation and involvement; and

**WHEREAS**, after due and careful consideration of the recommendations and other constructive input regarding site selection, the Board desires to establish a framework for identifying, analyzing and selecting a site for construction of the Facility.

**II. AUTHORIZATION OF SITE SELECTION PROCESS**

**NOW, THEREFORE, BE IT RESOLVED**, that the Board, on behalf of the Authority and pursuant to the Act, hereby establishes the following framework for the Facility site selection process:

(i) The Authority shall hold public meetings to provide the public, civic and business leaders, elected officials, regional community leaders, and any other interested parties the opportunity to comment on the proposed site selection process and site evaluation criteria;

(ii) Any party interested in providing a site for the Facility may submit an Expressions of Interest (an "EOI") to the offices of the Authority by 5:00 p.m. on December 14, 2001;

(iii) Following December 14, 2001, the Authority shall hold public meetings intended to provide any party who has submitted an EOI to the Authority the opportunity to comment on and discuss the benefits, features or attributes of the particular proposed site or sites for the Facility;

(iv) On or about December 18, 2001, the Authority shall hold a public meeting to review the proposed sites and solicit further public comment and participation on the proposed sites and the site selection process;

(v) On or about but no earlier than December 20, 2001, the Authority shall hold a public meeting to discuss the proposed sites and determine which sites most closely meet the Authority's site selection criteria and thereby will be asked to provide a detailed response to a Request for Proposal (the "RFP") to be issued by the Authority;

(vi) On or about but no earlier than December 21, 2001, the Authority shall issue the RFP to the potential site hosts selected by the Board;

(vii) All responses to the RFP will be due on a date to be determined by the Authority after input from potential site hosts, business, civic and community leaders and the public;

(viii) Once the responses to the RFP are received, the Authority shall make the contents of the RFP's immediately available to the public and shall hold one or more public meetings to solicit input from business, civic and community leaders and the public;

(ix) After due consideration of the input from business, civic and community leaders and the public, the Authority shall hold a public meeting to select two or three finalist sites, currently anticipated to be some time in February 2002;

(x) After selection of two or three finalist sites, the Authority shall commence to negotiate the terms and conditions of site proposals with the finalist sites in order to determine which proposed site is the best site for the Facility;

(xi) At some time in February or March 2002, the Authority shall hold a public meeting to select the site for the Facility; and

**FURTHER RESOLVED**, that the site selection process outlined above shall be subject to modification by the Board from time to time if at any time the Board determines in its judgment that such modification is appropriate and in the best interests of the Authority and the public, provided that the time frames set forth in the site selection framework shall be no less or shorter than as stated in this resolution; and

**FURTHER RESOLVED**, that the Authority shall not at any time prior to February 1, 2002, (a) sell any bonds intended to finance the construction of the Facility to the public; (b) execute and deliver an intergovernmental agreement under Title 11, Chapter 7, Article 3 pursuant to A.R.S. 5-804(3) with a site host; or (c) execute and deliver a final design build agreement pursuant to A.R.S. 5-804(3) for the construction of the Facility.

**FURTHER RESOLVED**, that the Authority, by and through its Executive Director, President and Chief Executive Officer, shall submit a monthly written report to the joint legislative budget committee setting forth the Authority's progress in achieving the stated

purposes of the Act such as tourism promotion, Cactus League, youth and amateur sports and recreation facilities projects and the construction of Facility;

**FURTHER RESOLVED**, the Executive Director, President and Chief Executive Officer of the Authority is authorized and directed, in the name and on behalf of the Authority, to take all action necessary, appropriate or advisable to effectuate the foregoing resolutions; and

### **III. MISCELLANEOUS MATTERS**

**FURTHER RESOLVED**, that all actions previously taken on behalf of the Authority by any director or officer of the Authority in connection with any of the foregoing matters are ratified and confirmed in all particulars as the acts of the Authority.

Dated: November 28, 2001