

**Legal Action Report of the Special Meeting  
of the Board of Directors  
of the Dark Mountain Development Corporation  
a support corporation of  
THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF TUCSON, ARIZONA**

**August 20, 2015**

8:30 A.M.

at the

Arizona Inn - Flandrau House  
2200 E. Elm Street  
Tucson, Arizona 85719

**Present: Board Members**  
Marilyn Robinson  
Gary Bachman  
Emily Nottingham (left 10:45 a.m.; returned 2:40 p.m.)  
Judy Clinco  
Evelia Martinez  
Larry Lucero  
Adam Weinstein (arrived at 9:50 a.m.; left at 3:40 p.m.)

**Staff**  
Charles Lotzar, Lotzar Law Firm, PC  
Gary Molenda, Business Development Finance Corporation  
Karen Valdez, Business Development Finance Corporation

The Special Meeting of the Board of Directors of Dark Mountain Development Corporation a support corporation of The Industrial Development Authority of the City of Tucson, Arizona (the “**Authority**”) was held on **August 20, 2015**, at the Arizona Inn Flandrau House, 2200 E. First Street, Tucson, Arizona. All Authority’s Board Members and the general public were duly notified of the meeting. C. Lotzar had informed the Authority’s Board of Directors that Arizona’s Open Meeting Laws allow for members of the Authority’s Board of Directors and legal counsel to appear and participate in the meeting telephonically so long as all participants in the meeting can hear and be heard.

| ITEM  | ACTION TAKEN/TO BE TAKEN  |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
|---|---|--------------|------------------|---------------------|-----------------------|-------------------------|------------------|------------------------|------------------|------------------------|--|
| <b>1. Call to Order</b><br>The meeting was called to order by Marilyn Robinson, with a quorum present.  | The meeting was called to order at <b>2:45 p.m.</b>   |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>2. Discussion and request for resolution regarding the election of Dark Mountain’s executive officers for the fiscal year running from July 1, 2015 until June 30, 2016; which may be based on the following slate:</b><br><br><table style="width: 100%; border: none;"> <tr> <td style="width: 20%;"><b>Office:</b></td> <td><b>Name:</b></td> </tr> <tr> <td><b>President</b></td> <td><b>Gary Bachman</b></td> </tr> <tr> <td><b>Vice-President</b></td> <td><b>Marilyn Robinson</b></td> </tr> <tr> <td><b>Secretary</b></td> <td><b>Evelia Martinez</b></td> </tr> <tr> <td><b>Treasurer</b></td> <td><b>Evelia Martinez</b></td> </tr> </table> | <b>Office:</b>  | <b>Name:</b> | <b>President</b> | <b>Gary Bachman</b> | <b>Vice-President</b> | <b>Marilyn Robinson</b> | <b>Secretary</b> | <b>Evelia Martinez</b> | <b>Treasurer</b> | <b>Evelia Martinez</b> | A <b>MOTION</b> was made and seconded (L. Lucero / E. Martinez) to approve the slate of officers as presented.<br><b>Approved 7-0.</b> |
| <b>Office:</b>  | <b>Name:</b>  |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>President</b>  | <b>Gary Bachman</b>   |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>Vice-President</b>   | <b>Marilyn Robinson</b>   |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>Secretary</b>  | <b>Evelia Martinez</b>  |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>Treasurer</b>  | <b>Evelia Martinez</b>  |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>3. Call to the Public: This is the time for the public to comment. Members of the Dark Mountain’s Board of Directors may not discuss items that are not specifically identified on the Agenda. Therefore, pursuant to Arizona Revised Statutes 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or schedule the matter for further consideration and decision at a later date.</b>   | No action taken.  |              |                  |                     |                       |                         |                  |                        |                  |                        |  |
| <b>5. Adjourn</b>   | A <b>MOTION</b> was made and seconded (E. Martinez / A. Weinstein) to adjourn the meeting at <b>2:47 p.m. Approved 7-0.</b> |              |                  |                     |                       |                         |                  |                        |                  |                        |  |

**Submitted by:**  
Karen J. Valdez  
Business Development Finance Corporation

**Approved by:**  
Marilyn Robinson, President  
The Industrial Development Authority of the City of Tucson, AZ