

CONSENT AGENDA

MONDAY, AUGUST 2, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA

6. CONSENT AGENDA ITEMS A THROUGH NN

A. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT

- (1) Report from City Manager AUG2-04-396 CITY-WIDE
- (2) Resolution No. 19884 relating to grants; approving and authorizing execution of a Drug Enforcement Grant Award with the Arizona Criminal Justice Commission for Drug Control and System Improvement for FY 2005; and declaring an emergency.

B. AWARD AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL FOR A VICTIMS' RIGHTS IMPLEMENTATION ASSISTANCE PROGRAM

- (1) Report from City Manager AUG2-04-395 CITY-WIDE
- (2) Resolution No. 19885 relating to victims' rights; approving and authorizing execution of an Award Agreement with the Arizona Attorney General's Office for the FY 2005 Victims' Rights Implementation Assistance Program; and declaring an emergency.

C. TUCSON CODE: AMENDING (CHAPTER 11) RELATING TO REGULATION OF DRINKING ESTABLISHMENTS TO CONFORM TO CHANGES IN STATE LAW

- (1) Report from City Manager AUG2-04-394 CITY-WIDE
- (2) Ordinance No. 10007 relating to crimes and offenses; amending the regulation of frequenting of drinking establishments during hours closed; and providing for an effective date of August 25, 2004 for all amendments; by amending Section 11-17 of the Tucson Code; and declaring an emergency.

D. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON YOUTH DEVELOPMENT FOR YOUTH EMPLOYMENT SERVICES

- (1) Report from City Manager AUG2-04-403 CITY-WIDE
- (2) Resolution No. 19886 relating to Financial Participation Agreements; authorizing and approving the FY 2005 Financial Participation Agreement with Tucson Youth Development for Youth Employment Services with the City of Tucson; and declaring an emergency.

E. AGREEMENT: FACILITIES DEVELOPMENT AGREEMENT WITH AMPHI LITTLE LEAGUE FOR A SNACK BAR AT JACOBS DISTRICT PARK

- (1) Report from City Manager AUG2-04-404 W3
- (2) Resolution No. 19887 relating to parks and recreation; approving and authorizing the Facilities Development Agreement between the City of Tucson and Amphi Little League for the construction, maintenance and use of a new snack bar at Jacobs District Park; and declaring an emergency.

F. REAL PROPERTY: SALE OF SURPLUS PROPERTY LOCATED AT 2205 EAST SPEEDWAY BOULEVARD TO ANNE C. GRAHAM-BERGIN

- (1) Report from City Manager AUG2-04-414 W6
- (2) Ordinance No. 10012 relating to real property; vacating and declaring real property located at 2205 East Speedway Boulevard to be surplus property, and authorizing the sale thereof to Anne C. Graham-Bergin or assigns; and declaring an emergency.

G. BOARDS, COMMITTEES AND COMMISSIONS: SUNSETTING THE CITIZEN PARTICIPATION ADVISORY COMMITTEE

- (1) Report from City Manager AUG2-04-397 CITY-WIDE
- (2) Resolution No. 19889 relating to Boards, Commissions and Committees; abolishing the Citizen Participation Advisory Committee; repealing Resolution No. 16090; and declaring an emergency.

H. REAL PROPERTY: CONVEYANCE OF SURPLUS PROPERTY IN THE SOUTH PARK NEIGHBORHOOD TO HABITAT FOR HUMANITY

- (1) Report from City Manager AUG2-04-398 W5
- (2) Ordinance No. 10008 relating to real property; vacating and declaring certain City-owned properties in the South Park Neighborhood, Tucson, Arizona, to be surplus, and authorizing the conveyance thereof to Habitat for Humanity Tucson; and declaring an emergency.

I. REAL PROPERTY: CONVEYANCE OF ALLEY RIGHT-OF-WAY LOCATED NEAR 22ND STREET AND CAMINO SECO TO ROLLING HILLS COUNTRY CLUB VILLAS CORPORATION

- (1) Report from City Manager AUG2-04-399 W2
- (2) Ordinance No. 10009 relating to real property; vacating and declaring portions of certain City alley right of way near 22nd Street and Camino Seco to be surplus property, and authorizing the no cost conveyance thereof to the Rolling Hills Country Club Villas Corporation; and declaring an emergency.

J. GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR AN ART LIBRARY PARTNERSHIP

- (1) Report from City Manager AUG2-04-400 CITY-WIDE
- (2) Resolution No. 19890 relating to Library; authorizing and ratifying the execution of a grant application with the Arizona State Library, Archives and Public Records for a \$63,574 Library Services and Technology Act Grant: Public and Art Library Partnership; and declaring an emergency.

K. GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR CUSTOMER MANAGED PUBLIC ACCESS COMPUTERS

- (1) Report from City Manager AUG2-04-401 CITY-WIDE
- (2) Resolution No. 19891 relating to Library; authorizing and ratifying the execution of a grant application with the Arizona State Library, Archives and Public Records for a \$32,674 Library Services and Technology Act Grant: Customer Managed Public Access Computers; and declaring an emergency.

L. LIBRARY: NAMING THE PROPOSED MIDTOWN BRANCH LIBRARY THE MARTHA COOPER BRANCH LIBRARY AND LEARNING CENTER

- (1) Report from City Manager AUG2-04-402 CITY-WIDE
- (2) Resolution No. 19892 relating to the proposed Midtown Branch Library; designating the City of Tucson, Midtown Branch Library as the “Tucson-Pima Public Library, Martha Cooper Branch Library and Learning Center”; and declaring an emergency.

M. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR A JOINT HOUSING PROGRAM FOR PEOPLE WITH AIDS

- (1) Report from City Manager AUG2-04-406 CITY-WIDE
- (2) Resolution No. 19893 relating to Community Services; authorizing and approving the execution of Intergovernmental Agreement Amendment #2 between the City of Tucson and Pima County to extend the operation of a joint housing program under the FY2002 ‘Housing Opportunities for People with Aids’ (HOPWA) Grant; and declaring an emergency.

N. GRANT: ACCEPTANCE OF A UNITED STATES LAW ENFORCEMENT TRIBUTE ACT GRANT AWARD FOR COMPLETION OF THE MEMORIAL PLAZA AT THE MAIN POLICE FACILITY

- (1) Report from City Manager AUG2-04-407 CITY-WIDE
- (2) Resolution No. 19894 relating to grants; approving and authorizing execution of a Law Enforcement Tribute Act Grant Award with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance grant for completion of the Memorial Plaza; and declaring an emergency.

O. AGREEMENT: WITH PIMA ASSOCIATION OF GOVERNMENTS FOR TRANSPORTATION PLANNING AND PROFESSIONAL SERVICES

- (1) Report from City Manager AUG2-04-408 CITY-WIDE
- (2) Resolution No. 19895 relating to transportation; approving and authorizing the agreement between the City of Tucson Department of Transportation and Pima Association of Governments for Transportation Planning and Professional Services during FY 2005 (City-Wide); and declaring an emergency.

P. AWARD APPLICATION: FOR THE LEAGUE OF AMERICAN BICYCLISTS – BICYCLE FRIENDLY COMMUNITY PLATINUM AWARD 2006 (CONTINUED FROM MEETING OF JUNE 28, 2004)

- (1) Report from City Manager AUG2-04-409 CITY-WIDE

Q. FINANCIAL PARTICIPATION AGREEMENTS: WITH VARIOUS OUTSIDE AGENCIES FOR FISCAL YEAR 2005

- (1) Report from City Manager AUG2-04-410 CITY-WIDE
- (2) Resolution No. 19896 Relating to Outside Agency Activities; authorizing and approving the Financial Participation Agreements between the City of Tucson and various outside organizations for fiscal year 2005 and declaring an emergency.

R. TUCSON CODE: AMENDING (CHAPTER 22) PROVIDING TUCSON SUPPLEMENTAL RETIREMENT SYSTEM MEMBERS THE ABILITY TO TRANSFER EXISTING PENSION SERVICE CREDITS FROM ANOTHER GOVERNMENTAL RETIREMENT SYSTEM

- (1) Report from City Manager AUG2-04-412 CITY-WIDE
- (2) Ordinance No. 10011 relating to Pensions, Retirement and Group Insurance; amending the Tucson Code, Chapter 22, Pensions, Retirement and Group Insurance, Article III, Tucson Supplemental Retirement System, Section 22-36(b) retirement system transfers for appointed officers, Section 22-36(c) retirement system transfers for public employees; providing for transfer of service and declaring an emergency.

S. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO UDALL PARK PLAY FIELD (RESOLUTION 19217)

- (1) Report from City Manager AUG2-04-415 W2
- (2) Resolution No. 19897 relating to Intergovernmental Agreements; approving and authorizing an Amendment to the Intergovernmental Agreement between the City of Tucson and Pima County for improvements to Udall Park Play Field; and declaring an emergency.

T. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO WILLIAM M. CLEMENTS CENTER (RESOLUTION 19217)

- (1) Report from City Manager AUG2-04-416 W4
- (2) Resolution No. 19898 relating to Intergovernmental Agreements; approving and authorizing an Amendment to the Intergovernmental Agreement between the City of Tucson and Pima County for improvements to William M. Clements Center; and declaring an emergency.

U. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO QUINCIE DOUGLAS POOL (RESOLUTION 19217)

- (1) Report from City Manager AUG2-04-417 W5
- (2) Resolution No. 19899 relating to Intergovernmental Agreements; approving and authorizing an Amendment to the Intergovernmental Agreement between the City of Tucson and Pima County for improvements to Quincie Douglas Pool; and declaring an emergency.

V. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH MARLENE BACHMANN

- (1) Report from City Manager AUG2-04-419 OUTSIDE CITY
- (2) Resolution No. 19900 relating to annexations; authorizing and approving the execution of a Pre-Annexation Development Agreement between the City of Tucson and Marlene Bachmann; and declaring an emergency.

Note: If annexed, area would be in Ward 4

W. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH CARMELA CID

- (1) Report from City Manager AUG2-04-420 OUTSIDE CITY
- (2) Resolution No. 19901 relating to annexations; authorizing and approving the execution of a Pre-Annexation Development Agreement between the City of Tucson and Carmela Cid; and declaring an emergency.

Note: If annexed, area would be in Ward 4

X. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH HARVEY MORDKA

- (1) Report from City Manager AUG2-04-421 OUTSIDE CITY
- (2) Resolution No. 19902 relating to annexations; authorizing and approving the execution of a Pre-Annexation Development Agreement between the City of Tucson and Harvey Mordka; and declaring an emergency.

Note: If annexed, area would be in Ward 4

Y. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH LANCE WAYNE DUCEY

- (1) Report from City Manager AUG2-04-422 OUTSIDE CITY
- (2) Resolution No. 19903 relating to annexations; authorizing and approving the execution of a Pre-Annexation Development Agreement between the City of Tucson and Lance Wayne Ducey; and declaring an emergency.

Note: If annexed, area would be in Ward 4

Z. TRANSPORTATION: AUTHORIZATION FOR THE TRANSPORTATION DEPARTMENT TO SUBMIT FEDERAL TEA-21 TRANSPORTATION ENHANCEMENT PROPOSALS

- (1) Report from City Manager AUG2-04-426 CITY-WIDE
- (2) Resolution No. 19905 relating to transportation; authorizing the Director of the City of Tucson Department of Transportation to submit and sponsor fourteen Transportation Enhancement Act-21 (TEA-21) Transportation Enhancement Funding Proposals to the Arizona Department of Transportation and to expend local matching funds in the event of approval; and declaring an emergency.

AA. FINANCE: SALE OF CERTIFICATES OF PARTICIPATION FOR CAPITAL IMPROVEMENTS, SERIES 2004-A

- (1) Report from City Manager AUG2-04-427 CITY-WIDE
- (2) Resolution No. 19883 relating to real property; authorizing the execution and delivery of a Ground Lease, a Lease-Purchase Agreement, a Certificate Purchase Agreement and a Continuing Disclosure Undertaking; acknowledging and approving the execution of an Amendment and Supplement to a Declaration of Irrevocable Trust and the sale and delivery of one or more Series of Certificates of Participation in the Lease-Purchase Agreement pursuant thereto; and declaring an emergency.

BB. REAL PROPERTY: SALE OF RIGHTS-OF-WAY AND GRANTING OF A TEMPORARY REVOCABLE EASEMENT ON PORTIONS OF 10TH STREET BETWEEN 5TH AVENUE AND TOOLE AVENUE TO THE CONGRESS TAP ROOM, INC., FOR THE HOTEL CONGRESS

- (1) Report from City Manager AUG2-04-418 W6
- (2) Ordinance No. 10013 relating to real property; vacating and declaring certain city-owned rights-of-way consisting of a portion of 10th Street between 5th Avenue and Toole Avenue to be surplus, and authorizing the sale there of to the Congress Tap Room, Inc., an Arizona Corporation; and declaring an emergency.
- (3) Ordinance No. 10014 relating to real property; authorizing and approving the grant of a Temporary Revocable Easement for a portion of 10th Street right-of-way and 5th Avenue right-of-way to the Congress Tap Room, Inc., an Arizona Corporation; and declaring an emergency.

CC. REAL PROPERTY: RESCINDING RESOLUTION 19781 AND ACQUISITION OF A LARGER WELL SITE FOR THE SILVERBELL WEST ISOLATED WATER SYSTEM

- (1) Report from City Manager AUG2-04-428 OUTSIDE CITY
- (2) Resolution No. 19906 relating to real property; rescinding Resolution No. 19781 of February 23, 2004, and authorizing the City Manager to acquire a well site in the vicinity of Silverbell Road and Luckett Road at a purchase price of thirteen thousand dollars (\$13,000), and declaring an emergency.

DD. REAL PROPERTY: RESCINDING RESOLUTION 19479 AND ACQUISITION OF PROPERTY SOUTHWEST OF THORNYDALE AND MAGEE ROADS FOR A POTABLE WATER SUPPLY WELL

- (1) Report from City Manager AUG2-04-430 OUTSIDE CITY
- (2) Resolution No. 19908 relating to real property; Rescinding Resolution No. 19479 of January 13, 2003, and authorizing the City Manager to acquire a well site southwest of Thornydale and Magee Roads for a new potable supply well; and declaring an emergency.

EE. TUCSON CODE: AMENDING (CHAPTER 8) INCREASING THE DEFAULT FEE FOR FAILURE TO APPEAR IN TUCSON CITY COURT FOR CASES INVOLVING A CIVIL TRAFFIC VIOLATION, CIVIL VIOLATION, CIVIL INFRACTION OR CIVIL PARKING INFRACTION

- (1) Report from City Manager AUG2-04-411 CITY-WIDE
- (2) Ordinance No. 10010 relating to City Court; amending the Tucson Code, Chapter VIII City Court, Article I In General, Section 8-6.7 Administrative default fee; exemption for indigent persons; fee separate and distinct from any fine or other fee; action for recovery authorized; and declaring an emergency.

FF. REAL PROPERTY: LEASE OF SITE FOR A TEMPORARY WATER STORAGE TANK FOR THE DIAMOND BELL ISOLATED SYSTEM

- (1) Report from City Manager AUG2-04-429 OUTSIDE CITY
- (2) Resolution No. 19909 relating to the Diamond Bell Ranch Isolated Water System; authorizing and approving the lease of a site for a temporary storage tank for the Diamond Bell Isolated System, and declaring an emergency.

GG. APPROVAL OF MINUTES

- (1) Report from City Manager AUG2-04-434 CITY-WIDE

HH. MEMORANDUM OF UNDERSTANDING: WITH THE HISPANIC AMERICAN POLICE COMMAND OFFICERS ASSOCIATION FOR THE CLOSING THE GAP PROJECT

- (1) Report from City Manager AUG2-04-432 CITY-WIDE
- (2) Resolution No. 19910 relating to Police; approving and authorizing execution of a Memorandum of Understanding between the City of Tucson and the Hispanic American Police Command Officers Association (HAPCOA) for the Closing the Gap Project Grant Award; and declaring an emergency.

II. MEMORANDUM OF UNDERSTANDING: WITH THE HISPANIC AMERICAN POLICE COMMAND OFFICERS ASSOCIATION FOR THE MADRINA-PADRINO PUBLIC SAFETY PROJECT

- (1) Report from City Manager AUG2-04-433 CITY-WIDE
- (2) Resolution No. 19911 relating to Police; approving and authorizing execution of a Memorandum of Understanding between the City of Tucson and the Hispanic American Police Command Officers Association (HAPCOA) for the Madrina-Padrino Public Safety Project Grant Award; and declaring an emergency.

JJ. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY EDUCATION REVENUE BONDS

- (1) Report from City Manager AUG2-04-424 CITY-WIDE
- (2) Resolution No. 19904 Relating to Industrial Development; approving and authorizing the issuance by The Industrial Development Authority of the City of Tucson, Arizona of its Education Revenue Bonds (Arizona Agribusiness and Equine Center, Inc. Project), Series 2004, in an aggregate principal amount not to exceed \$15,000,000 relating to the financing or refinancing of the acquisition, construction, rehabilitation, improvement, equipping and operation of an educational institution and the payment of certain costs incidental thereto; and declaring an emergency.

KK. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY SINGLE FAMILY MORTGAGE REVENUE BONDS

- (1) Report from City Manager AUG2-04-425 CITY-WIDE
- (2) Resolution No. 19912 relating to Industrial Development; approving and authorizing the proceedings of The Industrial Development Authority of the City of Tucson, Arizona authorizing the issuance of Single Family Mortgage Revenue Bonds, Series 2004A, in an aggregate principal amount not to exceed \$12,500,000 and Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae Mortgage-Backed Securities Program), Series 2004B, in one or more subseries, in an aggregate principal amount not to exceed \$12,500,000 (collectively, the “Bonds”); approving the standards and requirements and the General Plan adopted by the Authorities for the Program; and declaring an emergency.

LL. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR LOW-INCOME UTILITY BILL ASSISTANCE PROGRAM

- (1) Report from City Manager AUG2-04-405 CITY-WIDE & OUTSIDE CITY
- (2) Resolution No. 19913 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement with Pima County to administer a Low-Income Utility Bill Assistance Program; including Environmental Services Bill, Tucson Water Bills, and to increase the amount designated for administrative fees to Pima County; and declaring an emergency.

MM. REAL PROPERTY: DEDICATION OF CITY PROPERTY AS RIGHT-OF-WAY AND SALE OF SURPLUS PROPERTY TO MIGUEL R. FUENTEVILLA AND SONYA N. SOTINSKY

- (1) Report from City Manager AUG2-04-413 W6
- (2) Ordinance No. 10018 relating to real property; dedicating certain city-owned property near Tucson Boulevard and Edison Street as right-of-way, vacating and declaring certain city-owned real property near Tucson Boulevard and Edison Street to be surplus property, and authorizing the sale thereof to Miguel R. Fuentevilla and Sonya N. Sotinsky; and declaring an emergency.

NN. AGREEMENT: WITH THE PIMA COUNTY FLOOD CONTROL DISTRICT AND THE US ARMY CORPS OF ENGINEERS FOR THE EL RIO MEDIO FEASIBILITY STUDY OF THE SANTA CRUZ RIVER

- (1) Report from City Manager AUG2-04-441 W1 & W3

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.