

CONSENT AGENDA

TUESDAY, SEPTEMBER 7, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA

6. CONSENT AGENDA ITEMS A THROUGH V

A. ASSURANCE AGREEMENT: (S03-016) BARRIO ESCALANTE SUBDIVISION LOTS 1 TO 46 AND COMMON AREAS “A”, “B”, “C” AND “D”

- (1) Report from City Manager SEPT7-04-450 W4
- (2) Resolution No. 19918 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S03-016 of a final plat for the Barrio Escalante Subdivision, Lots 1 to 46 and Common Areas “A” – “D”; and declaring an emergency.

B. FINAL PLAT: (S03-016) BARRIO ESCALANTE SUBDIVISION LOTS 1 TO 46 AND COMMON AREAS “A”, “B”, “C” AND “D”

- (1) Report from City Manager SEPT7-04-446 W4
- (2) The City Manager recommends that, after the approval of the Assurance Agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

C. FINAL PLAT: (S03-008) KLETETCHKA CONDOMINIUMS SUBDIVISION UNITS 1 TO 8 AND COMMON AREAS “A” AND “B”

- (1) Report from City Manager SEPT7-04-447 W3

This item has been continued to the meeting of September 13, 2004 at the request of staff.

D. FINAL PLAT: (S03-037) COLINAS DE ORO PHASE II SUBDIVISION LOTS 139 TO 147 AND COMMON AREAS “A” AND “B”

- (1) Report from City Manager SEPT7-04-451 W1
- (2) The City Manager recommends that the Mayor and Council approve the final plat as presented. A performance bond has been submitted as required to complete assurable items. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

E. AGREEMENT: AMENDMENT TO THE LICENSE AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC

- (1) Report from City Manager SEPT7-04-454 CITY-WIDE
- (2) Ordinance No. 10024 relating to interstate telecommunications, authorizing the second amendment to the non-exclusive right-of-way license pursuant to Tucson Code § 7B-36 to Level 3 Communications, LLC, a Delaware Corporation; and declaring an emergency.

F. REAL PROPERTY: ACQUISITION OF PROPERTY FOR A POTABLE WATER SUPPLY WELL NEAR WILMOT ROAD AND SOUTH OF INTERSTATE 10

- (1) Report from City Manager SEPT7-04-453 OUTSIDE CITY
- (2) Resolution No. 19919 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property in the vicinity of Wilmot Road and south of Interstate 10 for a potable water supply well; and declaring an emergency.

G. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR A PORTION OF WILMOT ROAD RIGHT OF WAY

- (1) Report from City Manager SEPT7-04-462 W4
- (2) Ordinance No. 10025 relating to real property; authorizing and approving a lease of a certain portion of Wilmot Road rights-of-way to the United States of America for a reflector support as part of the airport surveillance radar system at Davis-Monthan Air Force Base, and declaring an emergency.

H. REAL PROPERTY: EXCHANGE OF CITY OWNED REAL PROPERTY WITH PIMA COUNTY AT JAMES THOMAS PARK

- (1) Report from City Manager SEPT7-04-461 W5
- (2) Ordinance No. 10026 relating to real property; authorizing and approving an agreement for the exchange of certain portions of James Thomas Park to Pima County for a County owned property adjacent to James Thomas Park; declaring an emergency.

I. AGREEMENT: BETWEEN FRY FIRE DISTRICT, OTHER QUALIFIED AGENCIES, AND TUCSON FIRE DEPARTMENT TO PROVIDE CLINICAL FIELD EDUCATION

- (1) Report from City Manager SEPT7-04-459 CITY-WIDE
- (2) Resolution No. 19920 relating to the fire department and emergency medical services; authorizing and approving an agreement between the City of Tucson, acting through the Tucson Fire Department (“TFD”), and the Fry Fire District, for TFD emergency medical service (“EMS”) personnel to provide EMS field education (“ride alongs”) to Fry Fire District EMS personnel; ratifying the Fire Chief’s previous signing of the agreement on behalf of the City of Tucson, and authorizing and directing the City Clerk to attest the Fire Chief’s signature on the agreement; also authorizing the Fire Chief, or that officer’s designee, to enter into and execute, and the City Clerk to attest, similar agreements, in substantially the same form, and under the same terms and conditions, with other qualified agencies, departments, and jurisdictions, during the period through and including June 30, 2009; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT: WITH ORO VALLEY FOR SUN TRAN FIXED-ROUTE SERVICE AND ADA PARATRANSIT CERTIFICATIONS

- (1) Report from City Manager SEPT7-04-464 CITY-WIDE
- (2) Resolution No. 19921 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Oro Valley for the provision of Fixed-Route service (Sun Tran) and ADA Paratransit Certifications; and declaring an emergency.

K. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE PROVISION OF FIXED-ROUTE SERVICE (SUN TRAN), ADA PARATRANSIT SERVICES (VAN TRAN), ADA PARATRANSIT CERTIFICATION, LOW FARE CERTIFICATION AND VOUCHER SALES

- (1) Report from City Manager SEPT7-04-465 CITY-WIDE
- (2) Resolution No. 19922 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the provision of Fixed-Route service (Sun Tran), ADA Paratransit Service, ADA Paratransit Certification, low fare certification and voucher sale; and declaring an emergency.

L. REAL PROPERTY: SALE OF SURPLUS PROPERTY LOCATED IN LA ENTRADA PLANNED AREA DEVELOPMENT TO RELIANCE COMMERCIAL CONSTRUCTION DBA PRESIDIO TERRACE LIMITED LIABILITY CORPORATION

- (1) Report from City Manager SEPT7-04-458 W1
- (2) Ordinance No. 10031 relating to real property; vacating and declaring certain City owned property known as Lot 7 in Section 12 of the La Entrada Planned Area Development to be surplus and authorizing and approving the substance of a contract for sale of said property between the City of Tucson and Reliance Commercial Construction DBA Presidio Terrace Limited Liability Corporation (LLC) or assigns for the property and declaring an emergency.

M. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH O.T. ADOBE L.L.C.

- (1) Report from City Manager SEPT7-04-471 OUTSIDE CITY
- (2) Resolution No. 19923 relating to annexations; authorizing and approving the execution of a Pre-Annexation and Development Agreement between the City of Tucson and O.T. Adobe L.L.C.; and declaring an emergency.

Note: If annexed, area would be in Ward 4

N. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH FIDELITY NATIONAL TITLE AGENCY, INC.

- (1) Report from City Manager SEPT7-04-475 OUTSIDE CITY
- (2) Resolution No. 19929 relating to annexation; authorizing and approving the execution of a pre-annexation and development agreement between the City of Tucson and Fidelity National Title Agency, Inc., an Arizona Corporation, as Trustee under Trust Nos. 60,070 and 60,071 (Sycamore Canyon); and declaring an emergency.

Note: If annexed, area would be in Ward 4

O. PRE-ANNEXATION AND DEVELOPMENT AGREEMENTS: WITH THE NEW TUCSON UNIT 2 HOMEOWNERS ASSOCIATION, INC., NEW TUCSON UNIT 5 HOMEOWNERS ASSOCIATION, INC., AND NEW TUCSON UNIT 8 HOMEOWNERS ASSOCIATION, INC.

- (1) Report from City Manager SEPT7-04-473 OUTSIDE CITY
- (2) Resolution No. 19926 relating to annexations; authorizing and approving the execution of a pre-annexation and development agreement between the City of Tucson and the New Tucson Unit 2 Homeowners Association, Inc.; and declaring an emergency.
- (3) Resolution No. 19927 relating to annexations; authorizing and approving the execution of a pre-annexation and development agreement between the City of Tucson and the New Tucson Unit 5 Homeowners Association, Inc.; and declaring an emergency.
- (4) Resolution No. 19928 relating to annexations; authorizing and approving the execution of a pre-annexation and development agreement between the City of Tucson and the New Tucson Unit 8 Homeowners Association, Inc.; and declaring an emergency.

Note: If annexed, area would be in Ward 4

P. REAL PROPERTY: CONVEYANCE OF SURPLUS CITY PROPERTY AT 629 WEST MABEL TO CHICANOS POR LA CAUSA

- (1) Report from City Manager SEPT7-04-472 W3
- (2) Ordinance No. 10033 relating to real property; vacating and declaring certain City-owned real property at 629 West Mabel in the Barrio Blue Moon Neighborhood, Tucson, Arizona, to be surplus, and authorizing the conveyance thereof to Chicanos Por La Causa; and declaring an emergency.

Q. REAL PROPERTY: DEDICATION OF CERTAIN PORTIONS OF CITY-OWNED PROPERTY AS RIGHTS-OF-WAY

- (1) Report from City Manager SEPT7-04-474 W1 & W3
- (2) Ordinance No. 10032 relating to real property; dedicating certain portions of City owned real property in the vicinity of 1st Avenue and River Road, Calle Adelanto and Fairview Avenue, Speedway Boulevard and Columbia Avenue, and Speedway Boulevard and Riverside Avenue as rights-of-way, and declaring an emergency.

R. 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 (CONTINUED FROM MEETING OF AUGUST 2, 2004)

- (1) Report from City Manager SEPT7-04-467 W1 & W3
- (2) Resolution No. 19916 relating to water; approving and authorizing execution of The El Rio Medio “Feasibility Study of the Santa Cruz River and Feasibility Cost Sharing Agreement” between the City of Tucson, Pima County Flood Control District, and the United States Army Corps of Engineers and an Intergovernmental Agreement between the City of Tucson and the Pima County Flood Control District for reimbursement of local match costs arising from the El Rio Medio Feasibility Study; and declaring an emergency.

S. REAL PROPERTY: LEASE AGREEMENT WITH ARTFARE.ORG FOR PROGRAM SPACE AT THE MUSE COMMUNITY ARTS CENTER

- (1) Report from City Manager SEPT7-04-477 W6
- (2) Ordinance No. 10034 relating to real property; authorizing and approving the execution of a sublease agreement of program space at the Muse Community Arts Center from ArtFare.Org; and declaring an emergency.

T. AGREEMENTS: WITH MUNICIPAL FIRE DEPARTMENTS AND FIRE DISTRICTS WITHIN PIMA COUNTY FOR MUTUAL AID RESPONSE TO EMERGENCY AND HAZARDOUS MATERIALS INCIDENTS

- (1) Report from City Manager SEPT7-04-460 CITY-WIDE
- (2) Resolution No. 19930 relating to the fire department; authorizing and approving Mutual Aid Agreements between: (1) the Tucson Fire Department and other municipal fire departments and fire districts within Pima County, to provide countywide “all hazard” mutual aid response for all types of emergency incidents (Attachment A); and (2) the Tucson Fire Department and the Northwest, Green Valley, Golder Ranch, and Drexel Heights Fire Districts, to provide countywide mutual aid response for hazardous materials incidents (Attachment B); ratifying the Fire Chief’s previous signing of both these agreements on behalf of the City of Tucson; authorizing and directing the City Clerk to attest the Fire Chief’s signature on both these agreements; and declaring an emergency.

U. RIO NUEVO: AGREEMENT WITH THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT, CONGRESS STREET INVESTORS, LLC AND THE CONGRESS STREET HISTORIC THEATRES FOUNDATION FOR THE PURCHASE, RESTORATION AND OPERATION OF THE RIALTO THEATRE

- (1) Report from City Manager SEPT7-04-452 W6
- (2) Resolution No. 19931 relating to the Rialto Theatre; authorizing and approving the execution of an Intergovernmental, Development and Lease Agreement among the City of Tucson, the Rio Nuevo Multipurpose Facilities District and the Congress Street Historic Theatres Foundation for the purchase of the Rialto Theatre; and declaring an emergency.

V. INTERGOVERNMENTAL AGREEMENTS: WITH PIMA COUNTY FOR BOND FUNDED IMPROVEMENTS FOR THE KINO PARKWAY OVERPASS AT 22ND STREET AND BROADWAY BOULEVARD FROM EUCLID AVENUE TO CAMPBELL AVENUE

- (1) Report from City Manager SEPT7-04-479 W5 & W6
- (2) Resolution No. 19932 relating to transportation; authorizing and approving the Intergovernmental Agreements between the City of Tucson and Pima County, for bond funded improvements to the intersection of 22nd Street and Kino Parkway and Broadway Boulevard from Euclid Avenue to Campbell Avenue; and declaring an emergency.