

# CONSENT AGENDA

TUESDAY, JULY 8, 2008 – 5:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 W. ALAMEDA, TUCSON, AZ)

## 7. CONSENT AGENDA – ITEMS A THROUGH HH

### A. REAL PROPERTY: SALE OF SURPLUS CITY PROPERTY LOCATED AT 105 SOUTH LONGFELLOW

1. Report from City Manager JULY8-08-353 WARD 6
2. Ordinance No. 10559 relating to real property; declaring certain city-owned real property near Broadway Boulevard and Alvernon Way to be surplus and authorizing the sale of said property to James R. Smith; and declaring an emergency.

### B. REAL PROPERTY: SALE OF SURPLUS CITY PROPERTY LOCATED AT 3849 EAST CALLE ALTAR

1. Report from City Manager JULY8-08-354 WARD 6
2. Ordinance No. 10560 relating to real property; declaring certain city-owned real property near Broadway Boulevard and Alvernon Way to be surplus and authorizing the sale of said property to the Milton & Shirley Silverman Revocable Trust; and declaring an emergency.

### C. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE 22ND STREET CORRIDOR CITIZEN OVERSIGHT COMMITTEE

1. Report from City Manager JULY8-08-368 WARD 5
2. Resolution No. 21000 relating to Boards and Commissions; creating the 22<sup>nd</sup> Street Corridor Citizen Oversight Committee; and declaring an emergency.

### D. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE AND TUCSON UNIFIED SCHOOL DISTRICT FOR DISTRIBUTION OF GAMING REVENUE

1. Report from City Manager JULY8-08-355 CITY-WIDE
2. Resolution No. 21001 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson, the Pascua Yaqui Tribe and the Tucson Unified School District (TUSD) to provide \$75,000 in gaming revenues for use by TUSD for student tutoring, parent involvement programs, and student attendance incentives and rewards; and declaring an emergency.

**E. DEVELOPMENT AGREEMENT: WITH 5TH AND 6TH PARTNERS, LLC FOR THE WEST UNIVERSITY LOFTS PROJECT**

1. Report from City Manager JULY8-08-371 WARD 6
2. Resolution No. 21002 relating to real estate: authorizing and approving the execution of a Development Agreement between the City of Tucson and 5<sup>th</sup> and 6<sup>th</sup> Partners, LLC for the construction of the West University Lofts located 222 East Fifth Street; and declaring an emergency.

**F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE HEDRICK ACRES NEIGHBORHOOD REINVESTMENT GRANT PROJECT**

1. Report from City Manager JULY8-08-357 WARD 3
2. Resolution No. 21003 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Hedrick Acres Reinvestment Grant Project; and declaring an emergency.

**G. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR THE PASCUA NEIGHBORHOOD CENTER WALL**

1. Report from City Manager JULY8-08-359 WARD 3
2. Resolution No. 21004 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and the Pascua Yaqui Tribe to provide \$100,000 in gaming revenues for construction of the Pascua Neighborhood Center Wall; and declaring an emergency.

**H. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE NORTHWEST NEIGHBORHOOD REINVESTMENT GRANT PROJECT**

1. Report from City Manager JULY8-08-356 WARD 3
2. Resolution No. 21005 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Northwest Neighborhood Reinvestment Project; and declaring an emergency.

**I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO THE ROSE NEIGHBORHOOD PEDESTRIAN BRIDGE**

1. Report from City Manager JULY8-08-369 WARD 1
2. Resolution No. 21006 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Design and Construction of Improvements to the Rose Neighborhood Pedestrian Bridge over the Rodeo Wash; and declaring an emergency.

**J. MAYOR AND COUNCIL: AMENDING THE 2008 MAYOR AND COUNCIL MEETING SCHEDULE**

1. Report from City Manager JULY8-08-375 CITY-WIDE
2. Ordinance No. 10561 relating to administration; amending Section 1 of Ordinance 10484, which approved a schedule of Mayor and Council regular meeting dates for 2008, to reschedule the regular meeting date of August 5, 2008 to August 6, 2008; and declaring an emergency.

**K. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR INSPECTION OF BRIDGES ACCORDING TO NATIONAL BRIDGE INSPECTION STANDARDS**

1. Report from City Manager JULY8-08-361 CITY-WIDE
2. Resolution No. 21007 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for inspection of bridges in accordance with the National Bridge Inspection Standards (NBIS); and declaring an emergency.

**L. INTERGOVERNMENTAL AGREEMENT: WITH THE CITY OF SOUTH TUCSON FOR MAINTENANCE OF TRAFFIC SIGNALS**

1. Report from City Manager JULY8-08-360 OUTSIDE CITY
2. Resolution No. 21008 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and the City of South Tucson for maintenance of traffic signals within the South Tucson City limits; and declaring an emergency.

**M. ASSURANCE AGREEMENT AND FINAL PLAT: (S07-025) WILMOT/I-10 COMMERCIAL CENTER, BLOCKS 1 TO 5 AND COMMON AREA “A”**

1. Report from City Manager JULY8-08-373 WARD 5
2. Resolution No. 21009 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S07-025 and approving the final plat for the Wilmot/I-10 Commercial Center, Blocks 1 through 5 and Common Area “A”; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**N. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE AND SUNNYSIDE UNIFIED SCHOOL DISTRICT FOR DISTRIBUTION OF GAMING REVENUE**

1. Report from City Manager JULY8-08-364 CITY-WIDE
2. Resolution No. 21010 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson, the Pascua Yaqui Tribe and Sunnyside Unified School District #12 (SUSD) to provide \$25,000 in gaming revenues for use by SUSD to increase academic achievement, attendance incentives, and parental participation project; and declaring an emergency.

**O. GRANT APPLICATION: SUBMISSION OF A GRANT APPLICATION TO THE TOHONO O’ODHAM NATION – REVENUE SHARING PROGRAM**

1. Report from City Manager JULY8-08-370 WARDS 1, 5, AND 6
2. Resolution No. 21011 relating to grants; approving and authorizing submission of a grant application to the Tohono O’odham Nation - Revenue Sharing Program; and declaring an emergency.

**P. SUSTAINABLE DEVELOPMENT: ADOPTION OF THE FRAMEWORK FOR ADVANCING SUSTAINABILITY**

1. Report from City Manager JULY8-08-374 CITY-WIDE
2. Resolution No. 21012 relating to Sustainable Economic Growth and Development; adopting and approving the Framework for Advancing Sustainability; directing City staff to move forward with the implementation of a Sustainability Program as outlined in the Framework for Advancing Stability, including the creation of a Climate Change Committee through an ordinance separately approved by Mayor and Council; and declaring an emergency.

**Q. ASSURANCE AGREEMENT AND FINAL PLAT: (S08-070) 5020 FORT LOWELL SUBDIVISION, LOTS 1 TO 5**

1. Report from City Manager JULY8-08-363 WARD 2
2. Resolution No. 21013 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S08-070 and approving the final plat for the 5020 Fort Lowell Subdivision, Lots 1 through 5; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**R. REAL PROPERTY: ACQUISITION OF WATER EASEMENT FOR A MAIN REPLACEMENT ON TWIN HILLS TRAIL NEAR MELPOMENE WAY**

1. Report from City Manager JULY8-08-377 OUTSIDE CITY
2. Resolution No. 21014 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property located north of 22<sup>nd</sup> Street, east of Melpomene Road, for a water pipeline easement; and declaring an emergency.

**S. ASSURANCE AGREEMENT AND FINAL PLAT: (S07-122) SWAN/LEE OFFICES, LOTS 1 TO 17 AND COMMON AREA "A"**

1. Report from City Manager JULY8-08-365 WARD 6
2. Resolution No. 21015 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S07-122 and approving the final plat for the Swan/Lee Offices, Lots 1 through 17 and Common Area "A"; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**T. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-270) LITTLETON AND WILMOT INDUSTRIAL PARK, LOTS 1 TO 24 AND COMMON AREAS “A” TO “E”**

1. Report from City Manager JULY8-08-366 WARD 5
2. Resolution No. 21016 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-270 and approving the final plat for Littleton and Wilmot Industrial Park Subdivision, Lots 1 through 24 and Common Areas “A” through “E”; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**U. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-194) VISTA VERDE ESTATES (RCP), LOTS 1 TO 11 AND COMMON AREAS “A” TO “C”**

1. Report from City Manager JULY8-08-372 WARD 2
2. Resolution No. 21017 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-194 and approving the final plat for the Vista Verde Estates Subdivision, Lots 1 through 11 and Common Areas “A”, “B” and “C”; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**V. PARKS AND RECREATION: FACILITY DEVELOPMENT AND USE AGREEMENT WITH RINCON LITTLE LEAGUE FOR A SCOREBOARD AT PURPLE HEART PARK**

1. Report from City Manager JULY8-08-383 WARD 4
2. Resolution No. 21018 relating to Parks and Recreation; authorizing and approving a Facility Development and Use Agreement between the City of Tucson and Rincon Little League, Inc. for the development of a new scoreboard to be located on Field 3 at Purple Heart Park; and declaring an emergency.

**W. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY RENEWING PARTICIPATION IN THE HOME PROGRAM**

1. Report from City Manager JULY8-08-378 CITY-WIDE
2. Resolution No. 21020 relating to Community Services; authorizing and approving the execution of an amendment to an Intergovernmental Agreement between the City of Tucson and Pima County to renew a consortium for the purpose of continuing participation in the Federal "HOME Program" for Fiscal Year 2009; and declaring an emergency.

**X. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-044) SUNNYSIDE POINTE (RCP), LOTS 1 TO 267 AND COMMON AREAS "A" TO "C"**

1. Report from City Manager JULY8-08-367 WARD 5
2. Resolution No. 21019 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-044 and approving the final plat for Sunnyside Pointe Subdivision, Lots 1 through 267 and Common Areas "A" through "C", an RCP subdivision; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and 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.

**Y. TUCSON CODE: AMENDING (CHAPTER 7) RELATING TO CERTIFICATE OF OCCUPANCY DISCLOSURE**

1. Report from City Manager JULY8-08-382 CITY-WIDE
2. Ordinance No. 10562 relating to real property; amending the Tucson Code Chapter 7 by adding a new Article XXIV (New Sections 7-501 through 7-504) requiring commercial real property lessors to disclose to the lessee a statement advising the lessee to contact the Development Services Department prior to execution of a lease agreement; and setting an effective date and declaring an emergency.

**Z. TUCSON CODE: AMENDING (CHAPTER 27) RELATING TO WATER BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL**

1. Report from City Manager JULY8-08-385 CITY-WIDE AND OUTSIDE CITY
2. Ordinance No. 10563 relating to water; amending the Tucson Code, Chapter 27, Water, Article V, Backflow Prevention and Cross Connection Control, Section 27-70 Definitions, Section 27-80 Test, Notification, Maintenance, Record; Section 27-82 Discontinuance of Water Service; and declaring an emergency.

**AA. INTERGOVERNMENTAL AGREEMENT: PROVIDING MUTUAL AID AMONG MEMBERS OF THE ARIZONA WATER AND WASTEWATER AGENCY RESPONSE NETWORK**

1. Report from City Manager JULY8-08-376 CITY-WIDE & OUTSIDE CITY
2. Resolution No. 21021 relating to Water; approving and authorizing the execution of an Intergovernmental Agreement among members of the Arizona Water and Wastewater Agency Response Network (AZWARN); and declaring an emergency.

**BB. REAL PROPERTY: AUTHORIZING THE NEGOTIATION OF A PURCHASE AGREEMENT WITH MADDEN MEDIA FOR THE MACARTHUR BUILDING**

1. Report from City Manager JULY8-08-387 WARD 6
2. Resolution No. 21022 relating to real property; authorizing and directing the City Manager to negotiate an agreement for sale of the MacArthur Building; and declaring an emergency.

**CC. APPROVAL OF MINUTES**

1. Report from City Manager JULY8-08-386 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on April 15, 2008.

**DD. REAL PROPERTY: REVISED OFFER TO PURCHASE FOR THE VACATION AND SALE OF PORTIONS OF ORACLE ROAD, DRACHMAN STREET, AND ALLEY RIGHT OF WAY TO SKYLIGHT PRODUCTIONS, LLC**

1. Report from City Manager JULY8-08-352 WARD 3
2. Ordinance No. 10568 relating to real property; vacating and declaring certain portions of City-owned real property near Oracle Road and Drachman Street to be surplus and authorizing the sale of said property to Skylight Productions L.L.C.; repealing Ordinance No. 10314 of September 6, 2006; and declaring an emergency.

**EE. BOARDS AND COMMISSIONS: CREATING THE TRANSIT TASK FORCE**

1. Report from City Manager JULY8-08-388 CITY-WIDE
2. Resolution No. 21023 relating to Boards and Commissions; creating the Transit Task Force; and declaring an emergency.

**FF. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON CLEAN AND BEAUTIFUL FOR FISCAL YEAR 2009**

1. Report from City Manager JULY8-08-358 CITY-WIDE
2. Resolution No. 21024 relating to Financial Participation Agreements; authorizing and approving the Fiscal Year 2009 Financial Participation Agreement with Tucson Clean and Beautiful; and declaring an emergency.

**GG. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE SOUTHERN ARIZONA AIDS FOUNDATION AND THE TUCSON SENIOR SOFTBALL LEAGUE**

1. Report from City Manager JULY8-08-391 WARD 5
2. Resolution No. 21026 relating to Finance; approving and authorizing the allocation of Seven Hundred and Fifty Dollars (\$750) from the Ward 5 Office Community Support Fund, Account No. 001-183-1898-268, to be distributed to the Southern Arizona AIDS Foundation for the AIDS Walk 2008 (\$500) and to the Tucson Senior Softball League for Parks rental permits (\$250); and declaring an emergency.

This is a request by Council Member Leal. Allocation of funds is as follows:  
Council Member Leal - \$750.00

**HH. TRANSPORTATION: APPROVING THE DOWNTOWN LINKS PROJECT ALIGNMENT**

1. Report from City Manager JULY8-08-392 WARDS 1, 5 AND 6
2. It is recommended that the Mayor and Council approve the alignment as recommended by the Downtown Links Citizen Advisory Committee.