



Contract Number: CTN-PW-15\*067-01  
Effective Date: 2-3-15  
Term Date: 2-2-16  
Cost: \_\_\_\_\_  
Revenue: ✓  
Total: \_\_\_\_\_ NTE: \_\_\_\_\_  
Action: \_\_\_\_\_  
Renewal By: 12-1-15  
Term: 2-2-16  
Reviewed by: SR

## **BOARD OF SUPERVISORS AGENDA ITEM SUMMARY**

*Requested Board Meeting Date: 2/3/2015*

### **ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:**

The First Amendment to the Intergovernmental Agreement for Relocation of Hughes Access Road and the Construction and Maintenance of Aerospace Parkway amends Section 6.4 of the IGA to be consistent with section 5.4 of the IGA, which provides for continued use of the existing road on City land until the relocated road is completed and opened to the Public.

The First Amendment also adds language clarifying that the consent of the Tucson Airport Authority ("TAA") is subject to the approval of the Federal Aviation Administration ("FAA") pursuant to section 6.3 of the IGA.

### **STAFF RECOMMENDATION(S):**

It is recommended the Pima County Board of Supervisors approve this First Amendment to Intergovernmental Agreement for the relocation of Hughes Access Road and the Construction and Maintenance of Aerospace Parkway for the for the public benefit of the County residents.

*Page 1 of 2*

COB: 1-26-15  
BOS: 2-3-15  
Addendum

Vend. 1  
ver. 2  
4 pgs (1) &

CTN-PW-15\*067-01

APC

Procure Dept 01/26/15 AM 10:59

**PIMA COUNTY COST: \$ n/a and/or REVENUE TO PIMA COUNTY: \$ \_\_\_\_\_**

**FUNDING SOURCE(S):** \_\_\_\_\_  
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

**Advertised Public Hearing:**

☐ *YES*      ☒ *NO*

**Board of Supervisors District:**

1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All ☐

**IMPACT:**

***IF APPROVED:***

The portion of the existing Hughes Access Road on City owned property can be used as a public road until the relocated right of way is completed and opened to the public. The additional language to the consent of the Tucson Airport Authority that has been requested by its counsel will be approved.

***IF DENIED:***

The Tucson Airport Authority may refuse to consent to the IGA, potentially causing delays in the construction of the project.

DEPARTMENT NAME: Real Property Services

CONTACT PERSON: Neil J. Konigsberg TELEPHONE NO.: 520-724-6582



#### **4. Amendment of IGA**

4.1 Section 6.4 of the IGA is amended to read as follows: "City agrees to allow the continued use of the Existing Easement as public right of way until the Project Improvements have been completed and opened to the public."

4.2. The consent of the TAA to the IGA is hereby amended to read as follows:

#### **CONSENT OF TUCSON AIRPORT AUTHORITY**

Subject to the approval of the Federal Aviation Administration pursuant to section 6.3 of the IGA, as Lessee, the Tucson Airport Authority hereby consents to the release of the Existing Easement and to the granting of the TCE and dedication of the City owned property described and delineated by the attached EXHIBIT C as right of way for the construction of the above described Project.

\_\_\_\_\_  
Its:

Print Name

\_\_\_\_\_  
Date: \_\_\_\_\_

All other provisions of the IGA not specifically amended hereby shall remain in full force and effect.

Each Party is signing this Amendment on the date stated opposite that Party's signature.

**CITY OF TUCSON, a municipal corporation**

\_\_\_\_\_  
Jonathan Rothschild, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Roger Randolph, City Clerk

\_\_\_\_\_  
Date

**PIMA COUNTY, a political subdivision of the State of Arizona:**

\_\_\_\_\_  
Sharon Bronson, Chair, Board of Supervisors

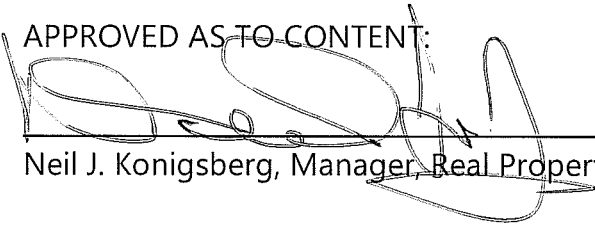
\_\_\_\_\_  
Date

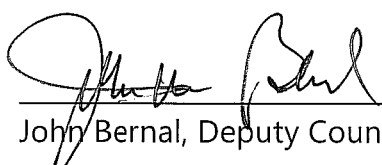
ATTEST:

\_\_\_\_\_  
Robin Brigode, Clerk of Board

\_\_\_\_\_  
Date

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Neil J. Konigsberg, Manager, Real Property Services

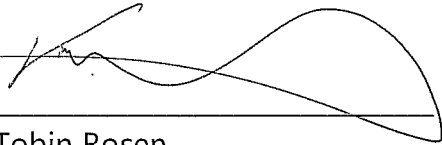
  
\_\_\_\_\_  
John Bernal, Deputy County Administrator, Public Works

96639 / 00210767 / v4

## INTERGOVERNMENTAL AGREEMENT DETERMINATION

The foregoing First Amendment to the Intergovernmental Agreement between Pima County and the City of Tucson has been reviewed pursuant to A.R.S. § 11-952 *et seq.* by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those Parties to the Intergovernmental Agreement represented by the undersigned.

PIMA COUNTY:



Tobin Rosen,  
Deputy County Attorney, Civil Division

Date: 1/15/14

CITY OF TUCSON:

\_\_\_\_\_  
Damian Fellows,  
Principal Assistant City Attorney

Date: \_\_\_\_\_