

# CONSENT AGENDA

WEDNESDAY, SEPTEMBER 6, 2006 – 5:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

## 6. CONSENT AGENDA ITEMS A THROUGH U

### A. SURPLUS PROPERTY: DONATION OF BICYCLES TO THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY

1. Report from City Manager SEPT6-06-447 CITY-WIDE

### B. SURPLUS PROPERTY: DONATION OF MISCELLANEOUS SURPLUS PROPERTY TO THE MEDICAL RESERVE CORPS OF SOUTHERN ARIZONA

1. Report from City Manager SEPT6-06-445 CITY-WIDE

### C. ASSURANCE AGREEMENT: (S05-071) LOFTS AT FIFTH AVENUE, A SUBDIVISION, 130 CONDOMINIUM UNITS AND COMMON ELEMENTS “A”, “B-1” TO “B-7” AND LIMITED COMMON ELEMENTS “C-1” TO “C-7”

1. Report from City Manager SEPT6-06-453 WARD 6
2. Resolution No. 20434 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. S05-071 of a final plat for the Lofts at Fifth Avenue Subdivision, Unit Nos. 110-170, 221, 245-247, 255, 262, 265, 269, 270, 321, 345-348, 351, 355, 362, 365, 366, 368-370, 411-443, 448, 451-454 and 456-464; 130 Condominium Units and Common Elements “A”, “B-1” thru “B-7”, Limited Common Elements “C-1” – “C-7” and Limited Common Elements “C-110” – “C-170”, “C-221”, “C-245” – “C-247”, “C-255”, “C-262”, “C-265”, “C-269”, “C-270”, “C-321”, “C-345” – “C-348”, “C-351”, “C-355”, “C-362”, “C-365”, “C-366”, “C-368” – “C-370”, “C-411” – “C-420”, “C-421” – “C-427”, “C-429” – “C-443”, “C-448”, “C-451” – “C-454”, “C-456” – “C-461”, “C-463” – “C-464”, “C-110A” – “C-120A”, “C-130A” – “C-133A”, “C-142A” – “C-144A”, “C-148A” – “C-151A”, “C-155A” – “C-161A”, “C-221A”, “C-245A”, “C-255A”, “C-265A”, “C-321A”, “C-345A”, “C-355A”, “C-411A” – “C-426A”, “C-429A” – “C-441A”, “C-442A”, “C-443A”, “C-452A” – “C-454A”, “C-456A” – “C-461A”, “C-463A”, “C-464A”, “C-438B”, “C-439B”, “C-434B” – “C-437B”, “C-440B”, “C-441B”, and “C-456B” – “C-459B”; and declaring an emergency.

**D. FINAL PLAT: (S05-071) LOFTS AT FIFTH AVENUE, A SUBDIVISION, 130 CONDOMINIUM UNITS AND COMMON ELEMENTS “A”, “B-1” TO “B-7” AND LIMITED COMMON ELEMENTS “C-1” TO “C-7”**

1. Report from City Manager SEPT6-06-452 WARD 6
2. City Manager recommends that, after 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.

**E. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON-PIMA ARTS COUNCIL**

1. Report from City Manager SEPT6-06-454 CITY-WIDE
2. Resolution No. 20435 relating to Financial Participation Agreements; authorizing and approving the FY 2007 Financial Participation Agreement with Tucson-Pima Arts Council; and declaring an emergency.

**F. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH SOUTH TUCSON AND THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR SIDEWALK MAINTENANCE ON SIXTH AVENUE SOUTH OF THE I-10 BRIDGE**

1. Report from City Manager SEPT6-06-443 WARD 5
2. Resolution No. 20436 relating to Intergovernmental Agreements; authorizing and approving the execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Tucson, and South Tucson and the Arizona Department of Transportation for maintenance of the approach sidewalks on Sixth Avenue south of the I-10 bridge following completion of state-funded improvements; and declaring an emergency.

**G. REAL PROPERTY: VACATION AND SALE OF PORTIONS OF ORACLE ROAD, DRACHMAN STREET, AND ALLEY RIGHT OF WAY TO SKYLIGHT PRODUCTIONS, LLC**

1. Report from City Manager SEPT6-06-455 WARD 3
2. Ordinance No. 10314 relating to real property; vacating and declaring certain city owned real property to be surplus and authorizing the sale thereof to Skylight Productions, LLC; and declaring an emergency.

**H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON CACTUS SENIOR SOFTBALL LEAGUE TO ASSIST IN PAYING FOR PARKS AND RECREATION EXPENSES**

1. Report from City Manager SEPT6-06-457 WARD 1
2. Resolution No. 20437 relating to Finance; approving and authorizing the allocation of eight hundred thirty-two dollars (\$832) from the Community Support Fund, Account No. 001-183-1898-268, to the Tucson Cactus Senior Softball League (TCSSL) to assist in paying Parks and Recreation expenses incurred by the league; and declaring an emergency.

This is a request by Council Member Ibarra. Allocation of funds is as follows:  
Council Member Ibarra - \$832.00

**I. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE COMMUNITY SUPPORT FUND FOR THE 5<sup>TH</sup> ANNUAL BUDDY WALK**

1. Report from City Manager SEPT6-06-458 WARD 5
2. Resolution No. 20438 relating to Finance; authorizing and approving the transfer of two hundred and fifty dollars (\$250) from the Ward Five Council Office budget to the Community Support Fund, Account No. 001-183-1898-268 to be disbursed to the 5<sup>th</sup> Annual Buddy Walk; and declaring an emergency.

**J. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE COALITION FOR AFRICAN AMERICAN HEALTH AND WELLNESS TO HELP DEFRAY COSTS FOR THE PEOPLE OF COLOR HEALTH CARE FESTIVAL**

1. Report from City Manager SEPT6-06-459 WARD 5
2. Resolution No. 20439 relating to Finance; approving and authorizing the transfer of two hundred and fifty dollars (\$250) from the Ward Five Council Office budget to the Community Support Fund, Account No. 001-183-1898-268, to be allocated to the Coalition for African American Health & Wellness to help defray costs for the People of Color Health Care Festival; and declaring an emergency.

**K. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION HIGH INTENSITY DRUG TRAFFICKING AREA MULTI-AGENCY SURVEILLANCE TEAM**

1. Report from City Manager SEPT6-06-464 CITY-WIDE
2. Resolution No. 20440 relating to grants; approving and authorizing execution of a Grant Agreement with the Arizona Criminal Justice Commission High Intensity Drug Trafficking Area (HIDTA) HT16-06-1412 Multi-Agency Surveillance Team (MAST) which will provide \$81,161 in federal funds for salaries and employee related expenses, overtime, travel, and services in conjunction with the HIDTA Multi-Agency Surveillance Team (MAST); and declaring an emergency.

**L. ZONING: (C9-06-22) DRACHMAN/ORACLE PAD – ORACLE ROAD, C-3 TO PAD-15, WAIVER OF MINIMUM ACREAGE REQUIREMENT FOR PAD DISTRICT**

1. Report from City Manager SEPT6-06-465 WARD 3
2. This is a request by Catherine Rex on behalf of the property owners, Skylight Productions, LLC and the City of Tucson, for a waiver of the forty (40) acre minimum land area required for Planned Area Development (PAD) districts to allow a proposed 2.5 acre PAD at the northeast corner of Drachman Street and Oracle Road. The applicant is proposing to develop the property with a six-story mixed-use building including retail, office, residential units, and parking.

Staff recommends authorization of a Planned Area Development District (PAD) for the 2.5 acre site at the northwest corner of Drachman Street and Oracle Road.

**M. BOARDS, COMMITTEES AND COMMISSIONS: AMENDING THE MEMBERSHIP REQUIREMENTS FOR THE TECHNOLOGY POLICY ADVISORY COMMITTEE**

1. Report from City Manager SEPT6-06-466 CITY-WIDE
2. Ordinance No. 10315 relating to Boards and Commissions; amending Section 10A-171(a) of the Tucson Code to allow members of the Technology Policy Advisory Committee to reside outside the corporate limits of the City of Tucson; and declaring an emergency.

**N. REAL PROPERTY: FIRST AMENDMENT TO THE LEASE AGREEMENT WITH SILVERBELL HOMES LIMITED PARTNERSHIP**

1. Report from City Manager SEPT6-06-467 WARD 1
2. Ordinance No. 10316 relating to real property; authorizing and approving the First Amendment to the Ground Lease with Silverbell Homes Limited Partnership, authorizing and approving the First Amendment to First Mortgage Note with Silverbell Homes Limited Partnership; and declaring an emergency.

**O. GRANT APPLICATION: SUBMISSION OF A GRANT APPLICATION TO THE PASCUA YAQUI TRIBE – REVENUE SHARING PROGRAM**

1. Report from City Manager SEPT6-06-469 WARD 3
2. Resolution No. 20441 relating to grants; approving and authorizing submission of a grant application to the Pascua Yaqui Tribe - Revenue Sharing Program; and declaring an emergency.

**P. GRANTS: ACCEPTANCE OF A GRANT FROM THE PASCUA YAQUI TRIBE FOR NEIGHBORHOOD CENTER COMPUTER LABS**

1. Report from City Manager SEPT6-06-470 CITY-WIDE
2. Resolution No. 20442 relating to grants; approving and authorizing acceptance of the Pascua Yaqui Tribe grant in the amount of \$98,130.76 for the City of Tucson neighborhood center computer labs; and declaring an emergency.

**Q. ENVIRONMENT: ENDORSEMENT OF THE U.S. MAYORS' CLIMATE PROTECTION AGREEMENT**

1. Report from City Manager SEPT6-06-471 CITY-WIDE
2. Resolution No. 20443 relating to the environment; endorsing the U.S. Mayors' Climate Protection Agreement authorizing participation by the City of Tucson for climate protection; and declaring an emergency.

**R. LIBRARY SERVICES: INTERGOVERNMENTAL AGREEMENT WITH THE PIMA COUNTY FREE LIBRARY DISTRICT FOR EL PUEBLO LIBRARY MAINTENANCE SERVICES**

1. Report from City Manager SEPT6-06-472 WARD 5
2. Resolution No. 20444 relating to library services; approving the Intergovernmental Agreement between the City of Tucson and Pima County Free Library District for El Pueblo Library Maintenance Services; and declaring an emergency.

**S. LIBRARY SERVICES: ASSIGNMENT OF THE INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF ORO VALLEY TO THE PIMA COUNTY FREE LIBRARY DISTRICT**

1. Report from City Manager SEPT6-06-473 CITY-WIDE
2. Resolution No. 20445 relating to library services; approving the assignment of the Intergovernmental Agreement between the City of Tucson and the Town of Oro Valley for library services to Pima County Free Library District; and declaring an emergency.

**T. DEVELOPMENT AND PURCHASE AGREEMENT: WITH TOWN WEST DESIGN DEVELOPMENT, INC.**

1. Report from City Manager SEPT6-06-474 WARD 1

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

**U. APPROVAL OF MINUTES**

1. Report from City Manager SEPT6-06-475 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on August 8, 2006 and the Special Meeting held February 21, 2006.