

**ADDENDUM, BOARD OF SUPERVISORS' MEETING**

**BOARD OF SUPERVISORS' HEARING ROOM**

**130 W. CONGRESS, 1ST FLOOR**

**NOVEMBER 16, 2004 9:00 A.M.**

**... EXECUTIVE SESSIONS**

Public discussion and action may occur on the executive session items listed below during the regularly scheduled meeting.

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|--|---|
| <p>A. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction regarding a tax appeal settlement recommendation in Academy Lofts, Parcel Nos. 117-14-0910, 117-14-0920, 117-14-0950 and 117-14-0960.</p>  | <p>Accept the Assessor's County Attorney's recommendation<br/>5/0</p>   |
| <p>B. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction regarding a proposed settlement in the matter pending in the Maricopa County Superior Court, Tax Court Case No. ST2004-000090, McTarnahan v. Pima County et. al.</p>   | <p>Accept the Assessor's County Attorney's recommendation<br/>5/0</p>   |
| <p>C. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction regarding a settlement offer in Pima County Superior Court, Case No. C20021154, Howe v. Pima County.</p>   | <p>Accept the County Attorney's recommendation<br/>5/0</p>  |
| <p>D. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction to seek approval to file a lawsuit on the following:</p> <ol style="list-style-type: none"> <li>1. Cary Marmis and Fern Marmis, husband and wife, Tax Parcel No. 220-25-131A.</li> <li>2. Alyce S. Adams, as successor Trustee under Trust Agreement dated March 20, 1996, Trust A of the John Quincy Adams and Alyce S. Adams Family Trust, as to an undivided 50.70/100 interest and Lazy 8 Tucson, a Limited Partnership, as to an</li> </ol> | <p>Accept the County Attorney's recommendation<br/>5/0</p> <p>Accept the County Attorney's recommendation<br/>5/0</p> |

undivided 49.30/100 interest, all as Tenants in Common, Tax Parcel Nos. 119-01-046B and 119-01-0740.

- E. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), for legal advice and direction regarding the amendment of the Security Agreement between UPI and Pima County that was executed in connection with the Kino lease.

See Addendum item 1.

**BOARD OF SUPERVISORS SITTING IN REGULAR SESSION**

1. COUNTY ADMINISTRATOR

Staff recommends approval of the First Amendment to the Security Agreement between Pima County and University Physicians, Inc.

Approved  
5/0

2. COUNTY ATTORNEY

Pursuant to A.R.S. 11-604.01, approval of the Business Loan Agreements for the following:

A. Avra Valley Fire District, in the amount of \$150,000.00.

Approved  
5/0

B. Tucson Unified School District No. 1, in the amount of \$20,000,000.00.

Approved  
5/0

C. Golder Ranch Fire District, in the amount of \$400,000.00.

Approved  
5/0

D. Altar Valley School District No. 51, in the amount of \$1,000,000.00.

Approved  
5/0

3. PROCUREMENT AGREEMENTS, CONTRACTS AND/OR AMENDMENTS

A. RESOLUTION NO. 2004 - 314, approving an Intergovernmental Agreement with the Arizona Department of Economic Security Employment Administration, to provide for the TANF Work Participation Rate Project, DES Grant Fund, contract amount \$139,462.00 revenue (01-69-A-135338-0804) Community Services Employment and Training

Approved  
5/0

B. RESOLUTION NO. 2004 - 315, approving an Intergovernmental Agreement with the City of Tucson, to provide for the reconstruction of the David Bell Bike Path, WWM Operating Fund, contract amount \$166,187.00 revenue (01-03-T-135339-1104) Wastewater Management

Without objection continued to 1/4/05

C. Squire, Sanders and Dempsey, L.L.P., to provide bond counsel services, Various Funds, contract amount not to exceed \$200,000.00 (07-09-S-135350-1104) Finance

Approved 5/0

**PUBLIC WORKS**

**TRANSPORTATION**

4. TEMPORARY ROAD CLOSURE

RESOLUTION NO. 2004 - 316, of the Pima County Board of Supervisors, permitting the temporary closure of Sierrita Mountain Road during the filming of a movie in Pima County, Arizona. Staff recommends **APPROVAL**. (District 3)

Approved 5/0

**WASTEWATER MANAGEMENT**

5. PUBLIC ANNOUNCEMENTS

Pursuant to A.R.S. §49-391(C), a public comment period of 30 days must occur before any Pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The Public Information Enforcement File for the following cases will be made available for public review or copies may be obtained for \$.35 per page at the Public Works Building, Pima County Wastewater Department's reception desk, 201 North Stone, 8th Floor, Tucson, Arizona, 85701. Comments will be taken for the next thirty days and written comments may be sent to Industrial Wastewater Control, 5025 W. Ina Road, Tucson, Arizona, 85743. If sufficient interest is expressed, a public hearing may be held by the Board of Supervisors. After the comment period, the Board of Supervisors will vote on acceptance of the following Settlement Agreements:

- A. Fuddruckers, Inc., a Texas Corporation, d.b.a. Fuddruckers, No. 2004-20. Proposed settlement amount of \$1,500.00. Approved  
5/0
- B. Victor Croce, d.b.a. Ciro's Italian Bakery Café, No. 2004-22. Proposed settlement amount of \$500.00. Approved  
5/0
- C. Firebirds of Tucson, L.L.C., an Arizona Limited Liability Corporation, d.b.a. Firebirds Rocky Mountain Grill, No. 2004-23. Proposed settlement amount of \$500.00. Approved  
5/0
- D. Jagdeep Dhillon, d.b.a. Dhillon Investments, L.L.C., a pending Arizona Limited Liability Company d.b.a. Rodeway Inn, No. 2004-25. Proposed settlement amount of \$1,000.00. Approved  
5/0

6. RATIFICATION OF:

- A. State Legislative Agenda for 2005  
  
RESOLUTION NO. 2004 - 306, of the Board of Supervisors of Pima County, Arizona, adopting a Pima County Legislative Program for 2005. Approved  
5/0
- B. Community Services System Funding  
  
RESOLUTION NO. 2004 - 307, of the Board of Supervisors of Pima County, Arizona, providing for the financing of the Community Services System to ensure continual home and community based service provision to eligible County residents. Approved  
5/0

**CLERK'S NOTE:**

- A. Public discussion and action may occur on any executive or regular agenda item, and;
- B. Any backup material will be available for review twenty-four (24) hours before the meeting at the Clerk of the Board's Office.

POSTED: Levels A & B, 1st and 5th Floors, Pima County Administration Building.

DATE POSTED: 11/12/04  
TIME POSTED: 11:00 A.M.