



BOARD OF SUPERVISORS AGENDA ITEM REPORT
AWARDS / CONTRACTS / GRANTS

Award Contract Grant

Requested Board Meeting Date: 5/2/2023

* = Mandatory, information must be provided

or Procurement Director Award:

***Contractor/Vendor Name/Grantor (DBA):**

Tucson Wildlife Center, Inc. an Arizona non profit corporation

***Project Title/Description:**

Amendment to Lease

***Purpose:**

The Amendment will extend the Lease to existing Tenant for an additional ten years occupying Pima County property located at 13401 E. Speedway Boulevard (the Property). The lease will expire on June 30, 2033. (RPS File No: LCP-0041)

***Procurement Method:**

Exempt pursuant to Pima County Code 11.04.020

***Program Goals/Predicted Outcomes:**

The goal of the Tenant is to provide shelter, recovery and liberation to injured and orphaned wild animals in the Property.

***Public Benefit:**

Tenant utilizes the Property consisting of 8.9 acers for the operation of a non-profit wildlife rescue center dedicated to the rescue, rehabilitation and release of injured and orphaned wild animals in Pima County.

***Metrics Available to Measure Performance:**

Conformance with the terms and conditions of the existing Lease Agreement

***Retroactive:**

No

To COB: 4/17/23
vers: 1
pgs: 6 (1)

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THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (*) fields

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____
Commencement Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____
Expense Amount \$ _____ * Revenue Amount: \$ _____

*Funding Source(s) required: _____

Funding from General Fund? Yes No If Yes \$ _____ % _____

Contract is fully or partially funded with Federal Funds? Yes No

If Yes, is the Contract to a vendor or subrecipient? _____

Were insurance or indemnity clauses modified? Yes No
If Yes, attach Risk's approval.

Vendor is using a Social Security Number? Yes No
If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: CTN Department Code: RPS Contract Number (i.e., 15-123): 23*0124
Amendment No.: 1 AMS Version No.: 1
Commencement Date: 7/1/2023 New Termination Date: 06/30/2033
Prior Contract No. (Synergen/CMS): CTN-PW-13*378

Expense Revenue Increase Decrease Amount This Amendment: \$ 100.00

Is there revenue included? Yes No If Yes \$ _____

*Funding Source(s) required: _____

Funding from General Fund? Yes No If Yes \$ _____ % _____

Grant/Amendment Information (for grants acceptance and awards)

Award Amendment

Document Type: _____ Department Code: _____ Grant Number (i.e., 15-123): _____
Commencement Date: _____ Termination Date: _____ Amendment Number: _____
Match Amount: \$ _____ Revenue Amount: \$ _____

*All Funding Source(s) required: _____

*Match funding from General Fund? Yes No If Yes \$ _____ % _____

*Match funding from other sources? Yes No If Yes \$ _____ % _____

*Funding Source: _____

*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?

Contact: Dante Olono
Department: Real Property Services

Telephone: 724-6624

Department Director Signature: _____

Date: 4/13/2023

Deputy County Administrator Signature: _____

Date: 4/13/2023

County Administrator Signature: _____

Date: 4/13/2023

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|--|--|
| PIMA COUNTY DEPARTMENT OF: REAL PROPERTY SERVICES LANDLORD: Pima County Regional Flood Control District, a political taxing subdivision of the State of Arizona TENANT: Tucson Wildlife Center, Inc. an Arizona non-profit corporation CONTRACT NO.: CTN-RPS-23*0124-01 (Formally Known as CTN-PW-13*378) LEASE AMENDMENT NO.: One (1) | |
|--|--|

| | | | |
|--|------------------------------|-------------------------------|-----------------|
| ORIGINAL LEASE TERM: | 07/01/2013-06/30/2023 | ORIG. LEASE AMOUNT: | \$100.00 |
| TERMINATION DATE PRIOR AMENDMENT: | 06/30/2023 | PRIOR AMENDMENTS: | N/A |
| TERMINATION THIS AMENDMENT: | 06/30/2033 | AMOUNT THIS AMENDMENT: | \$100.00 |
| | | TOTAL LEASE AMOUNT: | \$200.00 |

AMENDMENT TO LEASE

1. **DEFINED TERMS.** For purposes of this Amendment, the following terms have the meanings set forth below:

1.1. Pima County Regional Flood Control District, a political taxing subdivision of the State of Arizona ("District") owns real property at 13401 East Speedway Boulevard, Tucson, Arizona (the Property), which is described on attached Exhibit A and depicted on B.

1.2. Tucson Wildlife Center, Inc. an Arizona nonprofit corporation ("Tenant") currently occupies the Property at under the Lease agreement # CTN-RPS-23*0124 (formally known as CTN- PW-13*378, reissued due to internal department/unit revisions), dated July 1, 2013. The Lease Agreement is scheduled to terminate on June 30, 2023.

1.3. The parties wish to extend the Term of the Lease for an additional ten (10) years. The General Liability limits are outdated and do need to be increased. The Occurrence limits should be raised to Pima County standard of \$2,000,000.

1.4. **Effective Date:** This Amendment is effective as of July 1, 2023.

2. **MODIFICATION OF LEASE.** District and Tenant hereby agree to modify the terms of the Lease as follows:

2.1. **Term:** The Lease shall extend for an additional ten year term, with the amended Term to begin July 1, 2023 and terminate on June 30, 2033, unless otherwise terminated or extended by the parties.

2.2. **Insurance:** A) Commercial General Liability: TWC shall provide a policy to include bodily injury, products - completed operations, personal and advertising injury and property damage coverage with limits of \$2,000,000 Each Occurrence and \$2,000,000 General Aggregate. The policy shall be endorsed to include The District and Pima County as additional insureds with respect to liabilities arising out of the use and/or occupancy of the property subject to this Lease.

2.3. **Application Law:** Any legal action relating to this Lease must be brought in an Arizona court in Pima County; Arizona law will apply to all such disputes.

2.4. **Nondiscrimination.** During the Term of this Lease, Tenant will not discriminate against any County employee, client or any other individual in any way because of that person's age, race, creed, color, religion, sex, disability or national origin, and Tenant will at all times comply with the provisions of Arizona Executive Order 2009-09.

2.5. **Notice.** Any notice required or permitted to be given under this Lease shall be in writing and shall be served on the other party by personal delivery, United States mail service, electronic transmission, or by fax. Notice to County must be served on:

Pima County Real Property Services
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701-1215
Phone: 520.724-6462
Fax: 520.724-6763

3. **REMAINING LEASE TERMS UNCHANGED.** Except as modified as provided in this Amendment, all of the terms and conditions of the Lease shall remain in full force and effect.

The parties hereto have executed this Amendment on the day, month and year written below.

LANDLORD:
**Pima County Regional Flood Control, a political
taxing subdivision of the State of Arizona**

TENANT:
**Tucson Wildlife Center, Inc. an Arizona
nonprofit corporation**

Adelita S. Grijalva, Chair, Board of Supervisors

M. Ana Bates
Signature

Date _____

Executive Director
Name and Title (please print)

ATTEST:

Date *03/14/2023*

Melissa Manriquez, Clerk of the Board

Date _____

APPROVED AS TO CONTENT:

Carmine DeBonis, Jr.
Carmine DeBonis, Jr., Deputy County Administrator-Public Works

4/13/2023
Date


Eric Shepp
Eric Shepp, Director, Pima County Regional Flood Control District

Jeff Tepitsky
Jeff Tepitsky, Director, Real Property Services

3/31/2023
Date

APPROVED AS TO FORM:

Rachelle Barr 03/13/2023
Rachelle Barr, County Attorney, Civil Division

| | |
|--|--|
|  First American Title | Commitment for Title Insurance |
| | BY First American Title Insurance Company |
| Exhibit A | |

File No.: 400-35165

LEGAL DESCRIPTION

PARCEL NO. 1:

That portion of Section 4, Township 14 South, Range 16 East of the Gila and Salt River Meridian, Pima County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 4;

THENCE North 00 degrees 01 minutes 17 seconds West, 30.00 feet to a point on the North right-of-way of Speedway Boulevard as now established;

THENCE South 89 degrees 58 minutes 43 seconds West, along the North line thereof, a distance of 819.43 feet, to a point which is the Southwest corner of that certain parcel conveyed to Susan M. North by Deed recorded in Docket 3655, Page 84, records of Pima County, Arizona, and being the **TRUE POINT OF BEGINNING**;

THENCE continuing South 89 degrees 58 minutes 43 seconds West, along said North right-of-way, a distance of 483.77 feet;

THENCE North 00 degrees 01 minutes 17 seconds West, a distance of 482.88 feet to a point on the South line of Lot 39, LA CEBADILLA ESTATES, according to the Book 25 of Maps and Plats, Page 78, records of Pima County;

THENCE South 47 degrees 58 minutes 00 seconds East along the South line thereof, a distance of 48.19 feet to the Southeast corner thereof;

THENCE along the South line of Lot 40 of said La Cebadilla Estates the following courses and distances:

South 73 degrees 38 minutes 00 seconds East, a distance of 445.00 feet;

North 71 degrees 57 minutes 00 seconds East, a distance of 23.71 feet;

THENCE South 00 degrees 01 minutes 17 seconds East, a distance of 313.73 feet to the **TRUE POINT OF BEGINNING**.

(jv arb: 44)

PARCEL NO. 2:

That portion of the following described property within Lot 9, Section 4, Township 14 South, Range 16 East of the Gila and Salt River Meridian, Pima County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 4;

THENCE North 00 degrees 07 minutes 00 seconds East along the East line of said Section 4, a distance of 611 feet;

Exhibit A
(Continued)

THENCE South 71 degrees 57 minutes 00 seconds West, a distance of 462 feet to the TRUE POINT OF BEGINNING;

THENCE continuing South 71 degrees 57 minutes 00 seconds West, a distance of 401.29 feet;

THENCE South at right angles to the South line of said Section 4, a distance of 343.51 feet to a point in said South line of said Section 4;

THENCE East along said South line, a distance of 697.56 feet to a point 122 feet West from the Southeast corner of said Section 4;

THENCE North 34 degrees 02 minutes 17 seconds West, a distance of 564.58 feet to the TRUE POINT OF BEGINNING;

EXCEPT the South 30 feet thereof.

(jv arb: 33)

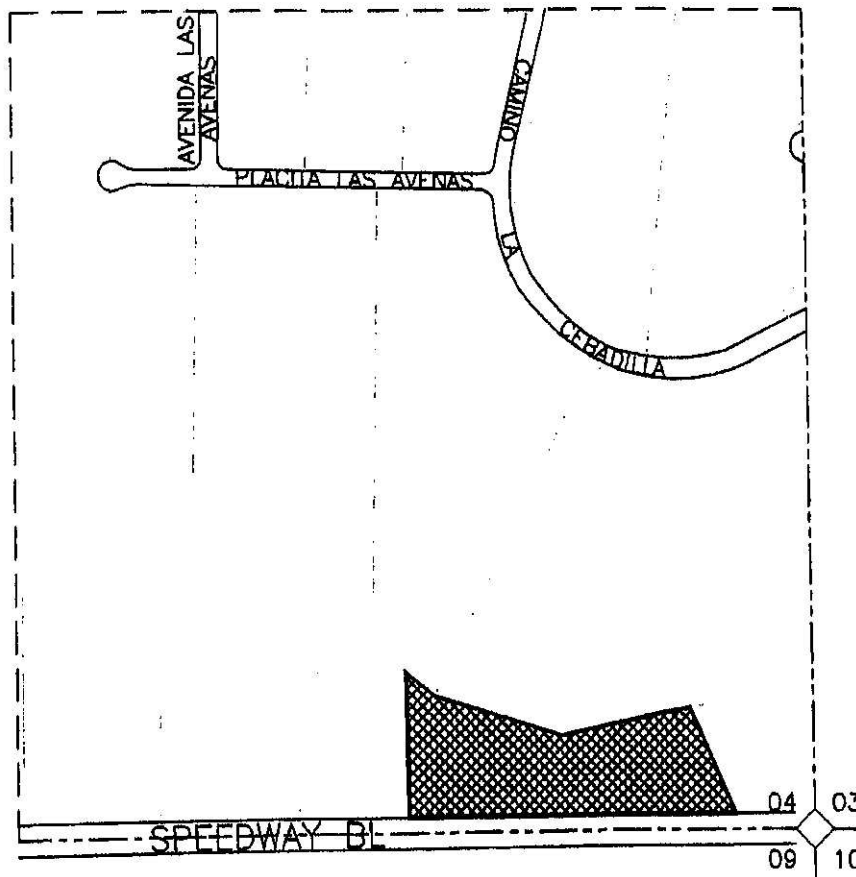
SECTION 04
TOWNSHIP 14 SOUTH
RANGE 16 EAST

SUBJECT AREA



SECTION 04
G&SRM
PIMA COUNTY, ARIZONA

EXHIBIT B



 ESTABLISHMENT



PIMA COUNTY DEPARTMENT OF TRANSPORTATION
ENGINEERING INFORMATION MANAGEMENT

DRAWING NOT TO SCALE

DRAWN BY: CPerez

DATE: 07/30/2012