



BOARD OF SUPERVISORS AGENDA ITEM REPORT  
AWARDS / CONTRACTS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: 5/02/2023

\* = Mandatory, information must be provided

or Procurement Director Award:

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

Arizona Lotus Corp., an Arizona nonprofit corporation, DBA: KLPX KFMA KCMT KTKT

**\*Project Title/Description:**

Amendment to Lease

**\*Purpose:**

The Admendment will extend the lease to the current tenant for an additional five year period. The leased area is a portion of a vacant parcel owned by Pima County consisting of approximately 15,680 square feet located at 2401 West Zinnia. The leased area is used for guy wires. The lease extension is for a period of five (5) years and will expire April 30, 2028. (RPS File No: LCP-0018)

**\*Procurement Method:**

Exempt pursuant to Pima County Code 11.04.020

**\*Program Goals/Predicted Outcomes:**

The goal of the amendment is to keep the existing tenant that uses the property for guy wires and guy anchors for the operation of a broadcasting antenna structure adjacent to the Property. The predicted outcome is the continuation of lease payments to the County.

**\*Public Benefit:**

Tenant utilizes the leased property for the operation and maintenance of guy wires and anchors to comply with connections to a broadcasting antenna structure on an adjoining property. The lease amount is \$5,700 per year or a total amount of \$28,500 over the five (5) year lease extension period.

**\*Metrics Available to Measure Performance:**

Conformance with the terms and conditions of the existing lease agreement and an increase in revenue from the five (5) year lease extension.

**\*Retroactive:**

Yes. A determination that a statutory requirement (A.R.S 11-256) for a current appraisal of the market lease rate was needed caused a delay in the submittal.

TO: COB 4-18-23 (1)  
Vers: 2  
pgs: 4

APR18 23AM0952 PD

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\*0141
Amendment No.: 2 AMS Version No.: 1
Commencement Date: 05/01/2023 New Termination Date: 04/30/2028
Prior Contract No. (Synergen/CMS): CTN-PW-19\*040
Expense Revenue Increase Decrease
Amount This Amendment: \$ 28,500.00

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: 4-12-2023

Deputy County Administrator Signature: \_\_\_\_\_

Date: 4/14/2023

County Administrator Signature: \_\_\_\_\_

Date: 4/16/2023

<b>PIMA COUNTY DEPARTMENT OF: REAL PROPERTY SERVICES</b>  <b>LANDLORD: Pima County, a political subdivision of the State of Arizona</b>  <b>TENANT: Arizona Lotus Corp., an Arizona corporation DBA: KLPX KFMA KCMT KTKT</b>  <b>CONTRACT NO.: CTN-RPS-23*0141-2</b> (Formally known as CTN-PW-19*040)  <b>LEASE AMENDMENT NO.: Two (2)</b>	
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<b>ORIGINAL LEASE TERM:</b> 05/01/2018-04/30/2023	<b>ORIG. LEASE AMOUNT:</b> \$23,500.00
<b>TERMINATION DATE PRIOR AMENDMENT:</b> 04/30/2023	<b>PRIOR AMENDMENTS:</b> N/A
<b>TERMINATION THIS AMENDMENT:</b> 04/30/2028	<b>AMOUNT THIS AMENDMENT:</b> \$28,500.00
	<b>TOTAL LEASE AMOUNT:</b> \$52,000.00

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### AMENDMENT TO LEASE

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

1.1. Pima County, a political subdivision of the State of Arizona (hereinafter referred to as "Landlord") owns real property at 2401 W Zinnia Avenue, Tucson, Arizona, tax parcel 103-05-024F (the Property) depicted on attached Exhibit A.

1.2. Arizona Lotus Corp., an Arizona corporation ("Tenant") currently leases the Property under the Lease Agreement # CTP-RPS-23\*0141 (formally known as CTN- PW-19\*040, reissued due to internal department/unit revisions), dated May 1, 2018, and Consent/Assigned on October 2, 2018. The Lease Agreement is scheduled to terminate on April 30, 2023.

1.3. The parties wish to renew the lease to the Property for an additional 5 years. In addition, the rental rate shall increase to Five Thousand Seven Hundred dollars (\$5,700.00) yearly.

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

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

2.1. **Term:** The Term of the lease shall renew for an additional Five (5) years, ending on April 30, 2028, unless otherwise terminated or extended by the parties.

2.2. **Rent:** Tenant must pay Landlord the new rental rate in the amount of Five Thousand Seven Hundred dollars (\$5,700.00) yearly. Rent will be paid quarterly with the first payment due on September 1, 2023, in the amount of One Thousand Four Hundred and Twenty Five dollars (\$1,425.00).

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.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment on the day, month and year written below.

**LANDLORD:**  
Pima County, a political subdivision of  
the State of Arizona

**TENANT:**  
Arizona Lotus Corp., an Arizona corporation

\_\_\_\_\_  
Adelita S. Grijalva, Chair,  
Board of Supervisors

  
\_\_\_\_\_  
Signature

Date \_\_\_\_\_

  
\_\_\_\_\_  
Name and Title (please print)

ATTEST:

Date 4/11/23

\_\_\_\_\_  
Melissa Manriquez, Clerk of the Board

Date \_\_\_\_\_

APPROVED AS TO CONTENT:

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

Date 4/14/2023

  
\_\_\_\_\_  
Kathryn Skinner, Director, Department of Transportation

Date 4/10/2023

  
\_\_\_\_\_  
Jeff Tephtsky, Director, Real Property Services

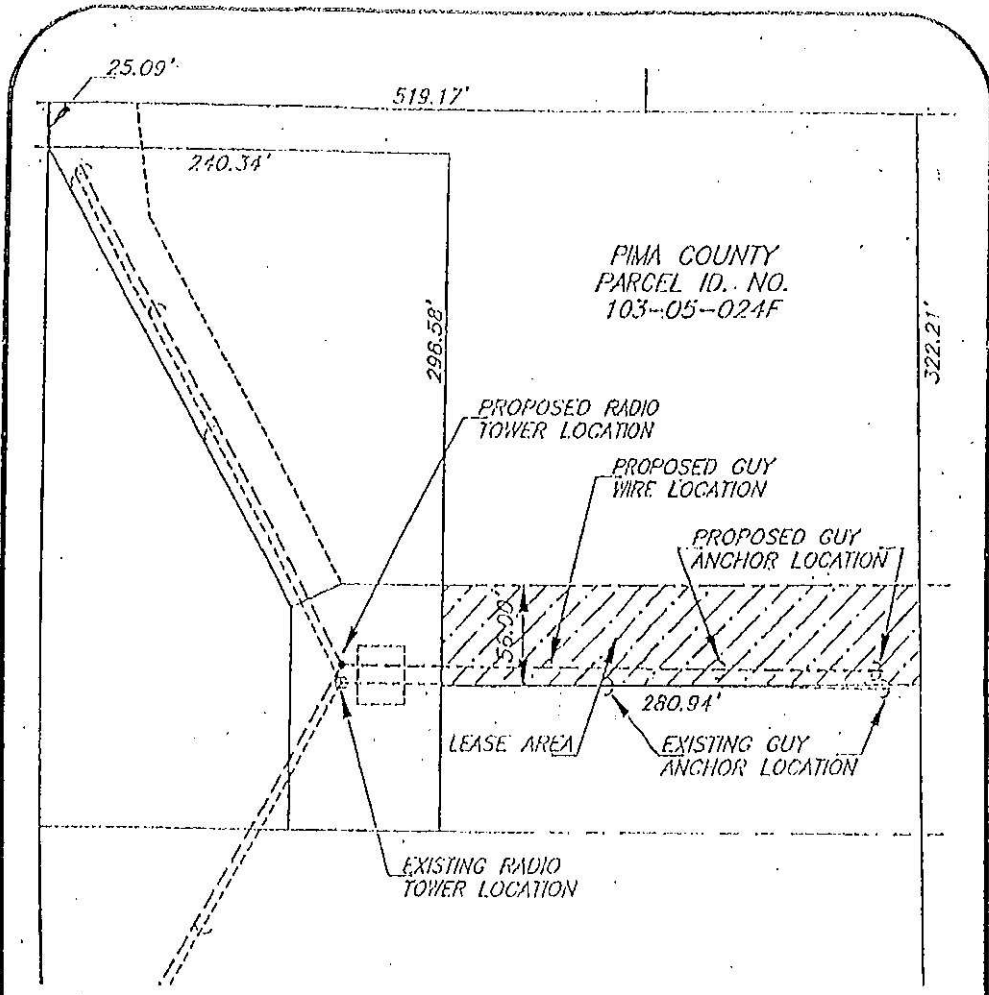
Date \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rachelle Barr, County Attorney, Civil Division

Date 04/10/2023

# EXHIBIT A

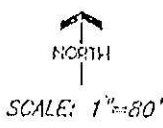


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**LEASE DESCRIPTION**

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 13 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 56.00 FEET OF THAT PARCEL DESCRIBED IN DOCKET 7564, AT PAGE 1050 PIMA COUNTY RECORDERS OFFICE, PIMA COUNTY, ARIZONA.



PIMA COUNTY LEASE  
FOR ZINIA TOWER  
SECTION 21, T13S, R13E



**TETRA TECH, INC.**  
INFRASTRUCTURE BUSINESS GROUP  
33 N. First Avenue, 15th Floor  
Tucson, AZ 85701 (520) 415-5900

DUES: JULY 11, 2011  
PG 10. P202 4143