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Reviewed by:		

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: <u>December 10, 2013</u>

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

Approve amendment #5 to the Pima Sports and Tourism Authority IGA. Amendment changes the original IGA agreement between Pima County Board of Supervisors sitting as the Pima County Stadium District Board and the Pima County Sports and Tourism Authority (PCSTA) as follows:

- Extend the term of the IGA to June 30, 2014 according to Section 3: TERM of the IGA.
- Provide an accounting of the "advance payment" per Section 7.5 ADVANCE PAYMENT of the IGA.

CONTRACT NUMBER (IGA): CT ED 1300000 00000 00000266

STAFF RECOMMENDATION(S):

Staff supports requested changes in IGA as specified in amendment #5.

CORPORATE HEADQUARTERS:

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Addendum

Addendum

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Board of Supervi	sors Di	istrict:							
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IF DENIED	:								
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DEPARTMENT NA	4 <i>ME:<u> </u></i>	conomic D	evelopi	nent an	d Tour	<u>ism</u>			
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AMENDMENT TO INTERGOVERNMENTAL AGREEMENT NUMBER 01-71-P-141887-0708 PROJECT: **Economic Development for Pima County** Region CONTRACT **AUTHORITY: Pima County Sports and Tourism Authority** AMENDMENT NO. This number must appear on all **DISTRICT: Pima County Stadium District** invoices, correspondence and documents pertaining this **DEPARTMENT: Economic Development Tourism** contract. AMENDMENT: NO. Five (5)

Original Term: 07/01/08 – 06/30/10 Current Termination Date: 06/30/2013 Amended Termination Date: 6/30/2014 Original Contract Amount: \$300,000.00
Prior Amended Amount: \$50.000.00

Total: \$350,000.00

AMENDED and RESTATED INTERGOVERNMENTAL AGREEMENT Fifth Amendment

1. **PARTIES.** This Intergovernmental Agreement ("Agreement") is entered into pursuant to A.R.S. §11-952 by and between Pima County, a political subdivision of the State of Arizona ("County"), Pima County Sports and Tourism Authority, a body corporate ("Authority"), and Pima County Stadium District, a tax-levying public improvement district of the State of Arizona ("District").

2. AMENDMENT: the following sections of the IGA are amended to read as follows:

Section 3: TERM

FROM:

TERM: The IGA shall be deemed to have commenced as of the 1st day of July 2008, and shall terminate on the 30th day of June, 2013 (the "Term"), unless sooner terminated or further extended pursuant to this Agreement. The effective date of this Amendment ("Effective Date") shall be July 1, 2012 once executed by all Parties hereto.

TO:

TERM: The IGA shall be deemed to have commenced as of the 1st day of July 2008, and shall terminate on the 30th day of June 2014 (the "Term"), unless sooner terminated or further extended pursuant to this Agreement. The effective date of this Amendment ("Effective Date") shall be July 1, 2013 once executed by all Parties hereto.

Section 7.5 Advance Payment:

FROM:

District disbursed to Authority a payment in advance of expenses of Seventy-Five Thousand Dollars (\$75,000.00) (the "Advance Payment") during FY 2008-2009. The Advance Payment may be (i) used by Authority for Reimbursable Costs incurred during the Reimbursement Period, of (ii) retained by Authority as cash flow. Authority shall provide an accounting of how the \$75,000.00 was spent through June 30, 2012.

TO:

District disbursed to Authority a payment in advance of expenses of Seventy-Five Thousand Dollars (\$75,000.00) (the "Advance Payment") during FY 2008-2009. The Advance Payment may be (i) used by Authority for Reimbursable Costs incurred during the Reimbursement Period, or (ii) retained by Authority as cash flow. Authority shall provide an accounting of how the \$75,000.00 was spent through June 30, 2013 by December 15, 2013.

All other provisions of the Agreement, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

IN WITNESS THEREOF, the parties have affixed their the date written below:	r signatures to this Agreement on
PIMA COUNTY, a political subdivision of the State of	Arizona
Ramon Valadez, Chairman, Board of Supervisors	Date
PIMA COUNTY STADIUM DISTRICT, a tax-levying p State of Arizona	ublic improvement district of the
Ramon Valadez, Chairman	Date
ATTEST:	
Robin Brigode, Clerk of the Board of Supervisors	Date
Tom Moulton, Director, ED&T	<u>10-11-13</u> Date
PIMA COUNTY SPORTS AND TOURISM AUTHORI	TY, a body corporate
Dinew on hully	11/20/13
Linda McNulty, Chairman	Date

ATTORNEY CERTIFICATION

The foregoing Agreement by and between Pima County, the Pima County Stadium District, and the Pima County Sports and Tourism Authority, has been reviewed pursuant to A.R. S. § 11-952 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 Agreement.

Tobin Rosen, Deputy County Attorney for Pima County	
Marc Natelsky, Deputy County Attorney for Pima County Stadium District	(0)(()3 Date
Pat Lopez, Attorney	11/21/13 Date
for Pima County Sports & Tourism Authority	