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# **BOARD OF SUPERVISORS AGENDA ITEM SUMMARY**

Requested Board Meeting Date: June 18, 2013

# ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

Authorization of contract CT-CD 130000000000000000430 amendment #01 between The City of South Tucson and Pima County Community Development and Neighborhood Conservation Department (CDNC) to approve funding of \$137,509.51 from unspent contract dollars remaining from the Annual Action Plan Years 2008-2009, 2009-2010, 2010-2011 and 2011-2012, per contract amendment 01 scope language which includes Demolition Services and the Garden Kitchen Project along with the currently active projects on this contract.

CONTRACT NUMBER (If applicable):

STAFF RECOMMENDATION(S):

Staff recommends approval by the Board of Supervisors.

CORPORATE HEADQUARTERS: City of South Tucson, Arizona

Page 1 of 2

Procure Dept 05/28/13#110/26

To: COB- 6-5.13

Agando - 6-18.13

(3)

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		YES	X	NO		
Board of Sup	ervisors	District:				
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IMPACT:						

# IF APPROVED:

County shall authorize contract CT-CD 130000000000000000430 amendment #01 between The City of South Tucson and Pima County Community Development and Neighborhood Conservation Department (CDNC) to approve funding of \$137,509.51 from unspent contract dollars remaining from the Annual Action Plan Years; 2008-2009, 2009-2010, 2010-2011 and 2011-2012 per contract amendment 01 scope to include e Demolition Services and the Garden Kitchen Project along with the other currently active projects on this contract.

# IF DENIED:

County shall not authorize contract CT-CD 130000000000000000430 amendment #01 between The City of South Tucson and Pima County Community Development and Neighborhood Conservation Department (CDNC) to not approve funding of \$137,509.51 from unspent contract dollars remaining from the Annual Action Plan Years; 2008-2009, 2009-2010, 2010-2011 and 2011-2012 per contract amendment 01 scope to include e Demolition Services and the Garden Kitchen Project along with the other currently active projects on this contract.

DEPARTMENT NAME: Community Development and Neighborhood Conservation

CONTACT PERSON: Danny Tylutki TELEPHONE NO.: 295-2925

### PIMA COUNTY COMMUNITY DEVELOPMENT AND NEIGHBORHOOD CONSERVATION DEPARTMENT INTERGOVERNMENTAL AGREEMENT AMENDMENT NUMBER 1

PROJECT NAME:

Management and Implementation of the Community Development Block Grant Program

CONTRACTOR:

City of South Tucson 1601 S. 6<sup>th</sup> Avenue

Tucson, AZ. 85713

Contract Number:

13\*430

FUNDING:

CDBG GRANT

DISTRICT NO.:

2

CONTRACT

NO. CT. CO. 13 01000 00000 00000 430 01

AMENDMENT NO.

This number must appear on all and correspondence invoices. pertaining documents

this

contract.

ORG. CONTRACT TERM: 10/01/12 to 12/31/13 TERMINATION DATE PRIOR AMENDS:

TERMINATION DATE THIS AMEND: 12/31/14

CONTRACT AMOUNT:

\$300,000.00

AMOUNT PRIOR AMENDMENTS: \$ -0-AMOUNT THIS AMENDMENT:

\$137,509.51

REVISED CONTRACT AMOUNT: \$437,509.51

### INTERGOVERNMENTAL AGREEMENT AMENDMENT

This amendment to the Intergovernmental Agreement (IGA) specified above is entered into by and between Pima County, a body politic and corporate of the State of Arizona (" COUNTY") and City of South Tucson, a municipality of the State of Arizona ("CITY").

#### **RECITALS**

- 1. The parties entered into this Intergovernmental Agreement ("IGA") executed on June 5, 2012 to establish the terms and conditions under which CITY would use FY 2012 - 2013 Community Development Block Grant ("CDBG") funds provided through COUNTY for various eligible projects.
- 2. Over several fiscal years, COUNTY and CITY entered into various IGAs for CITY to complete CDBG projects.
- 3. CITY did not timely complete all of the CDBG projects for which funds were set aside under the various IGAs.
- 4. The following CDBG funds were not expended prior to the termination of these IGAs and are being reprogramed for eligible CDBG projects in the City of South Tucson:

Annual Action Plan Year	Pima County Contract No.	Program	Available Funds
2000 2000	42*2202	Community clean-up	\$ 7,871.34
2008-2009	12*2292	Pride	\$ 10,702.92
2009-2010	12*937	Community clean-up	\$ 10,000.00
2010 2011	40*020	Community clean-up	\$ 10,000.00
2010-2011	12*938	Fire Safety Equipment	\$ 40,291.11
		Community clean-up	\$ 8,400.00
2011-2012	12*1648	Fire Safety Equipment	\$ 46,200.00
		Youth Program & Family Assistance	\$ 4,044.14

- The U.S. Department of Housing and Urban Development ("HUD") has directed COUNTY to review unfinished CDBG projects and prepare a remediation plan for any CDBG funds that have not been utilized for two years.
- COUNTY has reviewed the needs of the community and determined that there are CDBG eligible projects that will benefit the residents of the community is still appropriate to provide the unexpended CDBG funds to CITY.

- 7. COUNTY has reviewed CITY's capacity to timely utilize CDBG funds previously committed and has determined that CITY can timely complete certain CDBG-eligible projects.
- 8. As directed by HUD, COUNTY will amend the Action Plans for each fiscal year affected by this Amendment, after the execution of this Amendment.

### **AGREEMENT**

The Parties agree as follows:

- A. Article 2 SCOPE, is amended as follows:
  - 1. The introductory sentence is deleted in its entirety and replaced with the following:

In consideration for the CDBG funds committed pursuant to this Agreement, including for The Garden Kitchen defined with more particularity in Section 25, CITY shall:

2. Paragraph C(1) is deleted in its entirety and replaced with the following:

The Action Plans ("Plan" or "Plans") submitted by COUNTY and approved by HUD for fiscal years 2008-2009, 2009-2010, 2010-2011, 2011-2012, and 2012-2013;

- B. Article 3 Financing, is amended as follows:
  - The introductory sentence is amended to increase the not-to-exceed amount:

FROM: \$300,000.00

TO: \$437,509.51

2. Paragraph A, Budget is deleted in its entirety and replaced with the following:

### A. Budget

ACTIVITY	CDBG FUNDS ALLOCATED			
Administration	\$ 58,800.00			
Community Clean-Up	\$ 8,400.00			
Community Policing and Crime Prevention	\$ 63,000.00			
Demolition	\$ 20,000.00			
Fire Safety Equipment	\$ 46,200.00			
Graffiti Abatement Program	\$ 5,000.00			
Youth Program & Family Assistance	\$ 124,044.14			
Pride Program	\$ 10,702.92			
The Garden Kitchen*	\$ 101,362.45			

<sup>\*</sup>Pursuant to Article 25, the CDBG funds allocated to this project will not be distributed to CITY.

3. Paragraph B, is amended to increase the total amount of the IGA:

FROM: \$300,000.00

TO: \$437,509.51

C. Article 4 - Term, is amended to change the termination date:

FROM: December 31, 2013

TO: December 31, 2014

- D. Article 25 is added to read as follows:
  - 25. Scope -- The Garden Kitchen. The Parties agree that \$101,362.45 of CDBG funds shall be used by COUNTY to make public facility improvements to the County-owned property at 2205 S. 4<sup>th</sup> Avenue, known as "The Garden Kitchen." The Garden Kitchen will be renovated and upgraded to include the installation of new vignette kitchens to provide enhanced nutrition education to the citizens of South Tucson. Families will learn how to prepare healthy meals from preparation through clean up. The Garden Kitchen is a collaborative endeavor between the City of South Tucson, Pima County and the University of Arizona Pima County Cooperative Extension. The respective responsibilities of the Parties for The Garden Kitchen are set forth below.

#### A. COUNTY SHALL:

- 1. Procure licensed engineering, design, architect consultants, and contractors to renovate the Property. The selection of all contractors for The Garden Kitchen project will be at the sole discretion of COUNTY.
- 2. Obtain all necessary permits for the construction in compliance with all applicable codes, regulations and laws.
- Engage licensed Contractors to make the improvements to The Garden Kitchen including, but not limited to:
  - a. Demolition:
  - b. Purchase and install kitchenettes with range hoods;
  - c. Flooring,
  - d. Electrical;
  - e. Plumbing;
  - f. Drywall and masonry;
  - g. Acoustics ceiling;
  - h. Windows;
  - i. Painting;
  - Gas meter movement; and
  - k. Fire protection.
- 4. Manage construction including:
  - a. Scheduling work;
  - b. Inspecting work; and
  - c. Dispersing payments to consultants and contractors retained to perform work.
- 5. Retain copies of all executed contracts associated with the improvements at Facility.
- 6. Retain record of disbursements made for all work undertaken including change orders, on-site inspection and sign-off on final inspection.

### B. CITY SHALL:

- 1. Provide County employees, architect and engineering consultants, contractors and subcontractors access the facility in order to make the improvements set forth in this IGA.
- 2. Cooperate with COUNTY to ensure work can be completed at times established by COUNTY, to ensure against unnecessary delays.
- 3. After project completion, maintain and, as necessary, repair The Garden Kitchen facility to prevent deterioration and wasting.

- E. EXHIBIT A PROJECTS SUMMARY, is deleted in its entirety and replaced with the attached Exhibit A dated May 6, 2013.
- F. EXHIBIT E FINANCIAL STATUS REPORT AND REQUEST FOR FUNDS FOR THE MONTH OF, is deleted in its entirety and replaced with the attached Exhibit E dated May 6, 2013.
- G. EXHIBIT F BUDGET MODIFICATION, is deleted in its entirety and replaced with the attached Exhibit F dated May 6, 2013.

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

This amendment shall be effective upon execution by the Chairman, Board of Supervisors, provided that it has been previously executed by the CITY.

IN WITNESS WHEREOF, the parties do hereby affix their signatures and do hereby agree to carry out the terms of this Amendment and of the original IGA cited herein.

PIMA COUNTY	CITY OF SOUTH TUCSON
	Mayor: Aching Mayore  DATE: 05.13.2013
Chairman, Board of Supervisors	Mayor: Acting Mayore
DATE:	DATE: 05.13.2613
ATTEST:	ATTEST:
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Clerk of the Board	City Clerk
Date:	City Clerk Date: 05.13.2013
REVIEWED BY:	

Director Community Development and Neighborhood Conservation Department

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APPROVED AS TO FORM:

en S. Friar, Deputy County Attorney

Date: 5-6-13

APPROVED AS TO FORM:

# PROJECTS SUMMARY

# Project summary:

Administration
Community Clean Up
Community Policing & Crime Prevention
Demolition
Fire Safety Equipment
Graffiti Abatement Program
Youth Programs & Family Assistance
PRIDE Program
The Garden Kitchen

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Grantee Name: PIMA COUNTY CPMP Version 2.0 Project Name: CITY OF SOUTH TUCSON - YOUTH PROGRAMS AND FAMILY ASSISTANCE Description: IDIS Project #: UOG Code: AZ049019 The South Tucson Youth Program, housed at the John Valenzuela Youth Center, provides a yearlong program administered by Pio Decimo staff for low income youth, ages 5-17, who reside within the City of South Tucson. Purpose of the program is to provide supervised activities in a safe environment. The Youth Center provides a full day summer program and an after shcool program from September to May. Activities include sports, games, tutoring, arts, computer work, ande cooking. Lunch & snacks provided provided for the children. Location: **Priority Need Category** Census tract 23, Block Group 1. **Public Services** South Tucson is a designated Select one: colonia and an empowerment zone. 1601 S 6th Avenue Tucson **Explanation:** AZ 85713 Local Government **Expected Completion Date:** (06/30/2014) Objective Categor Decent Housing Suitable Living Environment **Economic Opportunity Specific Objectives** Improve the services for low/mod income persons Outcome Categories Availability/Accessibility Affordability Sustainability 720 Proposed Proposed 01 People Accompl. Type: Accomplishments Underway Underway Project-level Complete Complete Proposed Proposed Accompl. Type: Accompl. Type: Underway Underway Complete Complete Proposed Proposed Accompl. Type: Accompl. Type: Underway Underway Complete Complete **Actual Outcome** Proposed Outcome Performance Measure # of persons assisted with 720 imprved access to a service Matrix Codes 05D Youth Services 570.201(e) Matrix Codes Matrix Codes Matrix Codes Matrix Codes Proposed Amt. 115000 Proposed Amt. CDBG Fund Source: ₩ **Actual Amount Actual Amount** Year Proposed Amt. Proposed Amt. Fund Source: Fund Source: **Actual Amount** Actual Amount Program **Proposed Units** 720 **Proposed Units** 

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# PIMA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

# FY2012-2013 CONTRACT # 13\*430

# CITY OF SOUTH TUCSON

ADMINISTRATION, COMMUNITY CLEAUP, COMMUNITY POLICING & CRIME PREVENTION, DEMOLITION, FIRE SAFETY EQUIPMENT, HOME REPAIR PROGRAM, YOUTH PROGRAMS & FAMILY ASSISTANCE, GRAFFITI ABATEMENT, PRIDE PROGRAM AND THE GARDEN KITCHEN

FINANCIAL STATUS REPORT AND REQUEST FOR FUNDS FOR THE MONTH OF

		2	0		
		REQUEST#			
Activity	Budgeted	Expenditures This Month	Cumulative Expenditures	Balance Available	
Administration	\$ 58,800.00				
Community Clean Up	\$ 8,400.00				
Community Policing & Crime Prevention	\$ 63,000.00				
Demolition	\$ 20,000.00				
Fire Safety Equipment	\$ 46,200.00				
Youth Programs & Family Assistance	\$124,044.14				
Graffiti Abatement	\$ 5,000.00				
PRIDE Program	\$ 10,702.92				
The Garden Kitchen	\$101,362.45				
Total Budget	\$437,509.51				
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# PIMA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

#### FY2012-2013 CONTRACT # 13\*430

# CITY OF SOUTH TUCSON

ADMINISTRATION, COMMUNITY CLEAN-UP, COMMUNITY POLICING & CRIME PREVENTON, DEMOLITION, FIRE SAFETY EQUIPMENT, HOME REPAIR PROGRAM, GRAFFITI ABATEMENT PROGRAM, YOUTH PROGRAMS AND FAMILY ASSISTANCE, PRIDE PROGRAM AND THE GARDEN KITCHEN

### **BUDGET MODIFICATION**

Date

Please		

Authorized Signature

Mail or fax to:

Gloria Soto

Tucson, AZ 85713

Pima County, Kino Service Center 2797 East Ajo Way, 3<sup>rd</sup> Floor

Fax Number: 520-243-6796

- 1. A written justification for the modification for the line item(s) you wish to change; and
- 2. A new billing request with the requested change.

Budget change request must be limited to 10% of the total IGA amount and submitted within 30 days of the request.

Requests for budget change may not be accepted after July 7, 2014.

Activity	Budgeted	Requested Modification	Balance Available
Administration	\$ 58,800.00		
Community Clean Jp	\$ 8,400.00		
Community Policing & Crime Prevention	\$ 63,000.00		
Demolition	\$ 20,000.00		
ire Safety Equipment	\$ 46,200.00		
outh Programs & Family Assistance	\$124,044.14		
Graffiti Abatement	\$ 5,000.00		
RIDE Program	\$ 10,702.92		
he Garden litchen	\$101,362.45		
otal Budget	\$437,509.51		
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# **CITY OF SOUTH TUCSON RESOLUTION NO: 13-13**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, APPROVING AND ADOPTING AMENDMENT 1 FOR CONTRACT NO: 13\*430 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) BETWEEN THE CITY OF SOUTH TUCSON, ARIZONA (CITY) AND PIMA COUNTY (COUNTY) AND AUTHORIZING THE MAYOR OF THE CITY OF SOUTH TUCSON TO EXECUTE SAID IGA AMENDMENT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY and the COUNTY entered into an Intergovernmental Agreement COUNTY for specific CDBG projects for the original contract for the contract amount of \$300,000.00; and

WHEREAS, the CITY and the COUNTY desire to approve and adopt IGA Amendment Number 1 to Contract Number 13\*430 to change the scope of the agreement providing that the CITY enter into a cooperative agreement with the COUNTY that provides for specific guidance, terms and conditions for the provision of community clean-up, PRIDE program, fire safety equipment, youth programs and family assistance services and changing the termination date from December 31, 2013 to December 31, 2014; and

WHEREAS, the parties desire to have the matter presented to Mayor and Council at its May 13, 2013 meeting for the City's consideration; and

WHEREAS, the Mayor and Council of the City of South Tucson have determined that it is in the best interest of the City and its residents to enter into the IGA Amendment with Pima County; and

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of South Tucson, Arizona, that an emergency be declared to exist, and that this Resolution be effective immediately upon its passage and adoption.

**BE IT RESOLVED** by the Mayor and Council of the City of South Tucson, Arizona, that the City hereby gives formal approval and adoption of the IGA Amendment Number 1 and gives authorization for the execution of said IGA Amendment and empowers the Mayor of the City of South Tucson to execute said document.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the City of South Tucson, Arizona, that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of South Tucson, Arizona, and this Resolution shall therefore be effective upon its passage, adoption and filing with the Pima County Recorder.

**PASSED AND ADOPTED** by the Mayor and Council of the City of South Tucson, Arizona, this 13<sup>th</sup> day of May, 2013.

APPROVED/EXECUTED

Le Johnfelix fre CE MAYOR, PETE TADEO

ATTEST:

City Clerk, Veronica B. Moreno

APPROVED AS TO FORM:

City Attorney, Patrick Alan Moran, Esq.