



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: December 4, 2018

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Saddle Tree Ranch, an Arizona general partnership (LCP-0026)

***Project Title/Description:**

Amendment to Ranch Management Agreement

***Purpose:**

On February 8, 2011, the Pima County Board of Supervisors ("County") and the Regional Flood Control District Board of Directors ("RFCD") approved the Empirita Ranch Property Stewardship Agreement ("Agreement") pursuant to which Saddle Tree Ranch ("Manager") was approved as full-time manager of the Empirita Ranch Property, consisting of property owned by the County, commonly known as the J-6 ranch (the "County Property"), and property owned by RFCD, commonly known as Empirita Ranch (the "RFCD Property"). All Parties would like to amend the Agreement in order to remove the RFCD Property from the Agreement, leaving only the County Property for Manager to manage. The County Property is identified as "NRPR J-Six" on the attached map. The RFCD Property is identified as "RFCD Empirita."

***Procurement Method:**

Exempt pursuant to Pima County Code 11.04.020.

***Program Goals/Predicted Outcomes:**

The County Property will continue to operate primarily as a ranching operation which fosters the abundant and diverse native flora and fauna, clean air, clean water and stable soils. The RFCD Property will be separately leased to a third party.

***Public Benefit:**

To maintain the County Property as ranch land and open space in its natural state, and continue to operate it in conformance with its historic usage as grazing land.

***Metrics Available to Measure Performance:**

The Manager will continue to be charged the existing cattle transfer fee in the amount of \$1,320/year. The Manager will no longer be charged the monthly rental, as the houses that were rented are on the RFCD property which will be leased to a third party.

***Retroactive:**

Yes; the effective date is June 1, 2018. A delay was incurred as a result of needing to obtain 3 sets of signatures from the management entity and the documents were not received by County staff until October 25, 2018. The County has been collecting the cattle transfer fee since June 1, 2018, and has also been collecting rent for the RFCD property from a third party since June 1, 2018.

ATTACHMENT: LOCATION MAP

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____

Effective 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 22-73.***Amendment / Revised Award Information**Document Type: CTN Department Code: FC Contract Number (i.e., 15-123): CMS143715Amendment No.: Three (3) AMS Version No.: 4Effective Date: 6/01/2018 New Termination Date: _____

Prior Contract No. (Synergen/CMS): _____

☐ Expense or ☒ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ 3,960.00Is there revenue included? ☒ Yes ☐ No If Yes \$ 3,960.00***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): _____

Effective 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: Rita LeonDepartment: Real Property Services Telephone: 724-6462Department Director Signature/Date:  11/9/2018Deputy County Administrator Signature/Date:  11/14/18County Administrator Signature/Date:  11/14/18

(Required for Board Agenda/Addendum Items)

Empirita & J-Six Ranches

 Pima County Lease
Ownership
 Pima County
 AZ State Land
 BLM

12/8/2017

1 inch = 4,092 feet

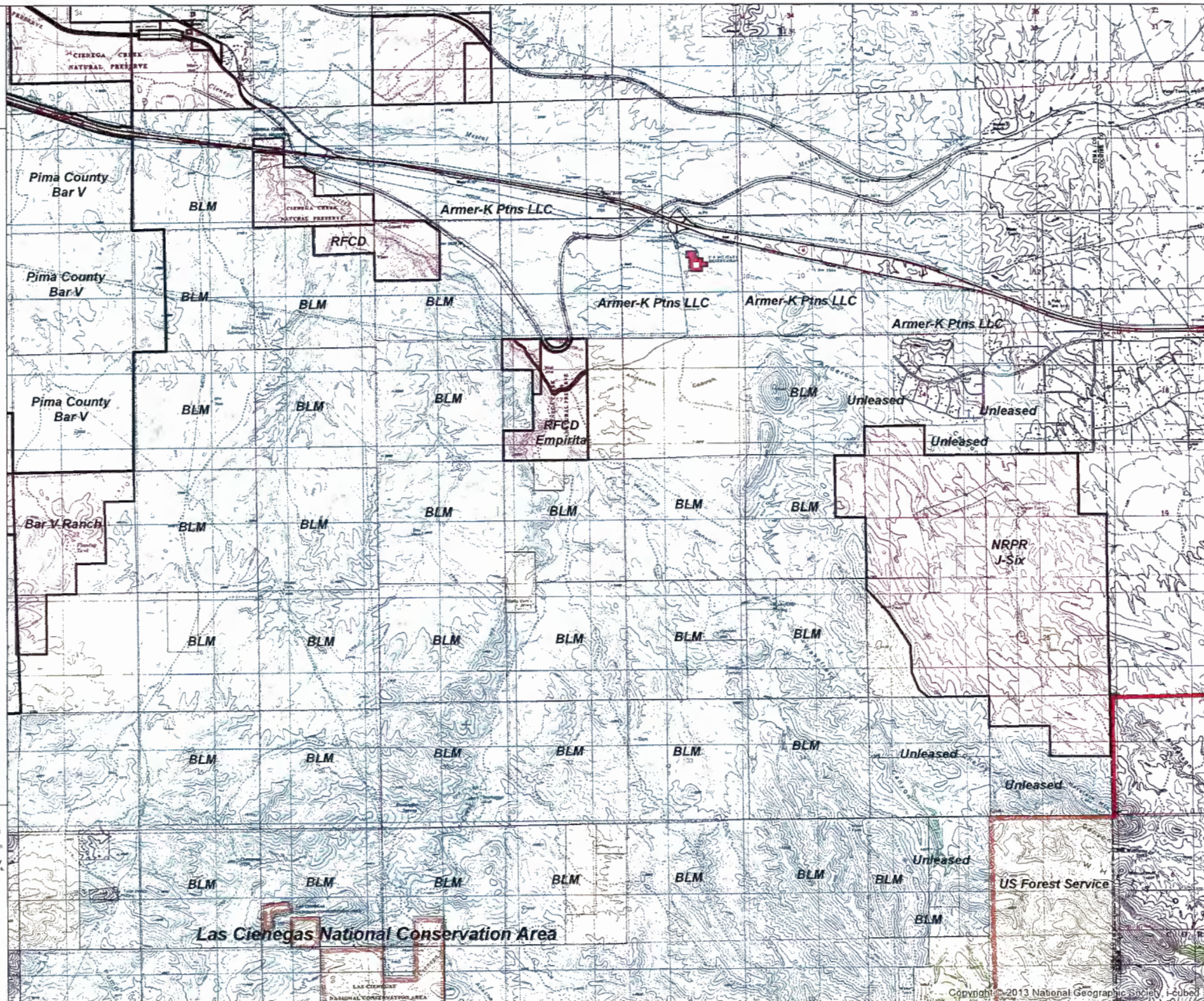


0 0.5 1 2 Miles



Property line representations and/or any other type of boundary, linear or point location contained within this data or displayed within this product are approximate and cannot be used for authoritative location purposes. Users should independently research, investigate and verify all information before relying on it or using it in the preparation of legal documents. Legally-delineated property boundaries can only be established by state-registered professional land surveyors. A list of Arizona Registered Land Surveyors is available at www.aslgi.gov.
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PIMA COUNTY
REAL PROPERTY

CONTRACT	
NO. <u>CTN-FC-CMS143715</u>	
AMENDMENT NO. <u>03</u>	
This number must appear on all invoices, correspondence and documents pertaining to this contract.	

PIMA COUNTY DEPARTMENT OF: Real Property Services	
COUNTY: Pima County	
MANAGER: Saddle Tree Ranch, an Arizona General Partnership	
OLD CONTRACT NO.: 11-59-S-143715-0211	
CONTRACT NO.: CTN-FC-CMS-143715	
LEASE AMENDMENT NO.: Three (3)	

ORIGINAL LEASE TERM:	02-08-2011 – 02-07-2016	ORIG. LEASE AMOUNT:	\$31,800.00
TERMINATION DATE PRIOR AMENDMENT:	02-07-2021	PRIOR AMENDMENTS:	\$22,472.00
TERMINATION THIS AMENDMENT:	02-07-2021	AMOUNT THIS AMENDMENT:	-\$10,048.00
		REVISED LEASE AMOUNT:	\$44,224.00

AMENDMENT NO. 3 TO RANCH MANAGEMENT AGREEMENT

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

1.1. County: Pima County, a political subdivision of the State of Arizona (hereinafter referred to as "Landlord")

1.2. District: the Pima County Regional Flood Control District

1.3. Manager: Saddle Tree Ranch, an Arizona General Partnership

1.4. Property: See attached Exhibit "A"

1.5. Agreement: The Empirita Ranch Property Stewardship Agreement between County, District and Manager, dated February 8, 2011, as amended.

1.6. Effective Date: June 1, 2018.

2. **MODIFICATION OF AGREEMENT.** County, District and Manager hereby agree to modify the terms of the Agreement as follows:

2.1. Property. The Property shall include only the Property on Exhibit "A" hereto, which is commonly referred to as the J-6 Ranch. No real property owned by District shall be subject to this Agreement. Manager will continue to manage the J-6 Ranch subject to the terms of this Agreement.

2.2. Removal of District. District shall no longer be a party to this Agreement.

2.3. Rent and Security Deposit: the rent for the Property shall be \$1,320.00 per year, or \$110 per month, during the remaining term of this Agreement.

2.4. Notices. Notices to County will be addressed and mailed as follows:

Chris Cawein, Director, Natural Resources, Parks and Recreation
3500 W. River Rd.
Tucson, AZ 85741
Phone: 520-724-5000

With a copy to:
Manager, Pima County Real Property Services
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701
Phone: 520-724-6582

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

4. **EFFECTIVE DATE.** This Amendment shall be retroactively effective as of the Effective Date.

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

CONTRACTOR

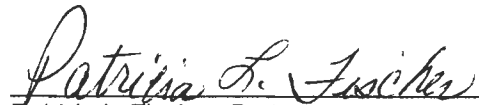
Saddle Tree Ranch, an Arizona General Partnership



Thomas R. Fischer, Partner

10/5/18

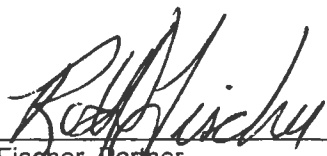
Date



Patricia L. Fischer, Partner

10/5/2018

Date


Rod W. Fischer, Partner
10-18-2018
Date

APPROVED:

**PIMA COUNTY REGIONAL
FLOOD CONTROL DISTRICT, a political taxing
district of the State of Arizona**

Chair, Board of Directors

Date

**PIMA COUNTY, a political subdivision of the State
of Arizona**

Richard Elias Chairman, Board of Supervisors

Date

ATTEST

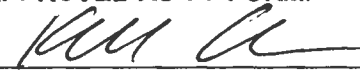
Clerk, Board of Directors


Date

Julie Castaneda Clerk, Board of Supervisors


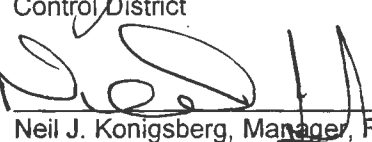
Date

APPROVED AS TO FORM:


Kell Olson, Deputy County Attorney
11/1/18
Date


Kell Olson, Deputy County Attorney
11/1/18
Date

APPROVED AS TO CONTENT


Suzanne Shields, Director, Pima County Regional Flood
Control District

Neil J. Konigsberg, Manager, Real Property Services

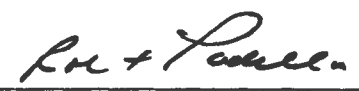

Chris Cawein Director, Pima County Natural
Resources, Parks and Recreation

EXHIBIT A

The land referred to in this Commitment is situated in the City of , County of Pima, State of Arizona and is described as follows:

PARCEL 1

The South Half of the Southwest Quarter of Section 14, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arb 3) (Tax code 306-37-003C)

PARCEL 2:

The East Half of the Northeast Quarter of Section 22, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arb 1) (Tax code 306-18-0280)

PARCEL 3:

Section 23, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

EXCEPT the Southeast Quarter of the Southeast Quarter thereof.

(JV Arb 3) (Tax code 306-18-029A)

PARCEL 4:

Section 26, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

AND EXCEPT that portion described as follows:

BEGINNING at the Southwest corner of said Section 26;

THENCE North 01 degrees 00 minutes 21 seconds West along the West line of said Section, a distance of 2623.04 feet to the West Quarter of said Section;

THENCE North 0 degrees 51 minutes 45 seconds West along said West line, a distance of 2186.95 feet;

THENCE departing said West line, South 43 degrees 34 minutes 02 seconds East, a distance of 1416.38 feet;

THENCE South 34 degrees 11 minutes 09 seconds East, a distance of 1729.34 feet;

THENCE South 01 degrees 44 minutes 54 seconds East, a distance of 1238.64 feet;

THENCE South 23 degrees 01 minutes 50 seconds East, a distance of 818.66 feet;

THENCE South 49 degrees 18 minutes 31 seconds East, a distance of 525.27 feet to the South Quarter of said Section;

THENCE South 89 degrees 35 minutes 39 seconds West along the South line of said Section, a distance of 2625.31 feet to the Southwest corner of said Section, being the POINT OF BEGINNING.

EXCEPTING THEREFROM all the coal and other minerals as reserved by the United States of America in Patent recorded in Book 95 of Deeds at page 217.

(JV Arb 3) (Tax code 306-18-009C)

EXHIBIT A
(Continued)

PARCEL 5:

The Southeast Quarter of the Southeast Quarter of Section 23, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arb 2) (Tax code 306-18-0300)

PARCEL 6:

All of Section 24, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona;

EXCEPT the West Half of the West Half thereof; and

EXCEPT the East Half of the Northeast Quarter thereof.

(JV Arb 4) (Tax code 306-18-031A and portion of 306-18-008D)

PARCEL 7:

All of Section 25, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona;

EXCEPT the West Half of the West Half thereof.

(JV Arbs 2 & 4) (Tax codes: portion of 306-18-0320 and portion of 306-18-008D)

PARCEL 8:

Lots 1 and 2; West Half of the Northeast Quarter, and Northeast Quarter of the Northwest Quarter of Section 36, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arbs 2 & 3) (Tax code 306-18-033A)

PARCEL 9:

The West Half of the West Half of Section 24, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arb 3) (Tax codes: portion of 306-18-008E and portion of 306-18-008F)

PARCEL 10:

The West Half of the West Half of Section 25, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV Arb 3) (portion of tax code 306-18-008F)

PARCEL 11:

The Northwest Quarter of the Northwest Quarter of Section 36, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

(JV arb 2) (Tax code 306-18-033B)

EXHIBIT A
(Continued)

PARCEL 12:

Easements for ingress, egress and utilities as set forth in Private Blanket Easements for Ingress, Egress and Utilities recorded in Docket 12478 at pages 2486 and 2495.

PARCEL 13:

Easements for ingress, egress, well field and utilities as set forth in Private Easement for Well Field, Ingress, Egress and Electric recorded in Docket 12543 at page 5413, records of Pima County, Arizona.

PARCEL 14:

Easements for ingress, egress, well field and utilities as set forth in Private Easement for Water Lines, Ingress, Egress and Utilities recorded in Docket 12543 at page 5420, records of Pima County, Arizona.

EXCEPTING FROM SAID PARCELS 1 THROUGH 11, THE DONATED PARCEL, described as follows:

DONATED PARCEL:

A 500 foot strip of land, being a portion of Sections 23, 24 and 26, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

BEGINNING at a stone marking the East Quarter corner of Section 24, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona, said stone lying South 0 degrees 54 minutes 09 seconds West, 2634.58 feet from a stone marking the Northeast corner of said Section 24;

THENCE North 87 degrees 09 minutes 32 seconds West, 3449.42 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 42 degrees 27 minutes 15 seconds West 1897.99 feet;

THENCE South 61 degrees 25 minutes 35 seconds West 1498.46 feet to a point lying in the Northeast Quarter of Section 23, Township 17 South, Range 18 East;

THENCE South 70 degrees 07 minutes 15 seconds West 2377.37 feet;

THENCE South 13 degrees 20 minutes 54 seconds East 2251.14 feet;

THENCE South 01 degrees 32 minutes 48 seconds East 1275.27 feet to a point lying in the Northeast Quarter of Section 26, Township 17 South, Range 18 East;

THENCE North 88 degrees 27 minutes 12 seconds East 500.00 feet;

THENCE North 01 degrees 32 minutes 48 seconds West 1326.95 feet to a point lying in the Southeast Quarter of Section 23, Township 17 South, Range 18 East;

THENCE North 13 degrees 20 minutes 54 seconds West 1858.80 feet;

THENCE North 70 degrees 07 minutes 15 seconds East 1969.35 feet;

THENCE North 61 degrees 25 minutes 35 seconds East 1144.99 feet to a point lying in the Northwest Quarter of Section 24, Township 17 South, Range 18 East;

EXHIBIT A
(Continued)

THENCE South 42 degrees 27 minutes 15 seconds East 1506.51 feet;

THENCE North 47 degrees 32 minutes 45 seconds East 500.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 15 (Donated Parcel):

A 500 foot strip of land, being a portion of Sections 23, 24 and 26, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

BEGINNING at a stone marking the East Quarter corner of Section 24, Township 17 South, Range 18 East, Gila and Salt River Base and Meridian, Pima County, Arizona, said stone lying South 0 degrees 54 minutes 09 seconds West, 2634.58 feet from a stone marking the Northeast corner of said Section 24;

THENCE North 87 degrees 09 minutes 32 seconds West, 3449.42 feet to the TRUE POINT OF BEGINNING;

THENCE North 42 degrees 27 minutes 15 seconds West 1897.99 feet;

THENCE South 61 degrees 25 minutes 35 seconds West 1498.46 feet to a point lying in the Northeast Quarter of Section 23, Township 17 South, Range 18 East;

THENCE South 70 degrees 07 minutes 15 seconds West 2377.37 feet;

THENCE South 13 degrees 20 minutes 54 seconds East 2251.14 feet;

THENCE South 01 degrees 32 minutes 48 seconds East 1275.27 feet to a point lying in the Northeast Quarter of Section 26, Township 17 South, Range 18 East;

THENCE North 88 degrees 27 minutes 12 seconds East 500.00 feet;

THENCE North 01 degrees 32 minutes 48 seconds West 1326.95 feet to a point lying in the Southeast Quarter of Section 23, Township 17 South, Range 18 East;

THENCE North 13 degrees 20 minutes 54 seconds West 1858.80 feet;

THENCE North 70 degrees 07 minutes 15 seconds East 1969.35 feet;

THENCE North 61 degrees 25 minutes 35 seconds East 1144.99 feet to a point lying in the Northwest Quarter of Section 24, Township 17 South, Range 18 East;

THENCE South 42 degrees 27 minutes 15 seconds East 1506.51 feet;

THENCE North 47 degrees 32 minutes 45 seconds East 500.00 feet to the TRUE POINT OF BEGINNING.

(Tax Code 306-18-029B)