BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

◯ Award ◯ Contract ◯ Grant

Requested Board Meeting Date: May 21, 2019

***= Mandatory, information must be provided**

or Procurement Director Award ☐

***Contractor/Vendor Name/Grantor (DBA):**
Mount Lemmon Domestic Water Improvement District - (File LCP-0099)

***Project Title/Description:**
First Amendment to Lease

***Purpose:**
To amend the Lease term for an additional 3 years. The current Lease Agreement dated June 2, 2016 between Mount Lemmon Domestic Water Improvement District (Tenant), and Pima County (Landlord), expires June 1, 2019. The Tenant will continue leasing the property and building which are located on the west side of Sabino Canyon Park Road, Mt. Lemmon, AZ, Pima County Assessor parcel number 205-14-7310.

***Procurement Method:**
Exempt pursuant to Pima County Code 11.04.020

***Program Goals/Predicted Outcomes:**
Staff recommends that the Board of Supervisors approve the First Amendment to Lease with Mount Lemmon Domestic Water Improvement District.

***Public Benefit:**
The amendment to Lease will provide the Tenant with an additional three (3) years in which to conduct classes for the local community, which include CPR, water eduction and planting for erosion control.

***Metrics Available to Measure Performance:**
The County will continue to collect rental income in the amount of $825.00 per month, which is supported by the valuation completed by the appraisal section in Real Property Services.

***Retroactive:**
No

To: COB - 5-8-19
pgs - 3
(1)

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: PW Contract Number (i.e.,15-123): 16*0168

Amendment No.: 1 AMS Version No.: 2

Effective Date: June 2, 2019 New Termination Date: June ~~2~~ 1, 2022 HL

Prior Contract No. (Synergen/CMS): _____

◯ Expense or ◉ Revenue ◯ Increase ◯ Decrease Amount This Amendment: $ 29,700.00

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): _____

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 Leon

Department: Real Property Services Telephone: 724-6462

Department Director Signature/Date: 5/2/2019

Deputy County Administrator Signature/Date: 5/3/19

County Administrator Signature/Date: C. Butterbaugh 5/4/19

(Required for Board Agenda/Addendum Items)

PIMA COUNTY

REAL PROPERTY

PIMA COUNTY DEPARTMENT OF: **Pima County Regional Waste Water** **LEASE: Pima County, a political subdivision of the State of Arizona** **TENANT: Mount Lemmon Domestic Water Improvement District** **LEASE NO.: CTN-PW-16-168** **LEASE AMENDMENT NO.: One (1); Revenue Contract**	

ORIGINAL LEASE TERM:	**06/02/16 – 06/01/19**	**ORIG. LEASE AMOUNT:**	**$29,700**
TERMINATION DATE PRIOR AMENDMENT:	**00/00/00**	**PRIOR AMENDMENTS:**	**$0.00**
TERMINATION THIS AMENDMENT:	**06/01/22**	**AMOUNT THIS AMENDMENT:**	**$29,700**
		REVISED LEASE AMOUNT:	**$59,400**

AMENDMENT TO LEASE

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

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

1.2. Tenant: Mount Lemmon Domestic Water Improvement District, a special taxing district.

1.3. Leased Premises: The South half of that part of block 40 of Summerhaven Subdivision, Pima County, Arizona, according to the map of plat thereof of record in the office of the County Recorder of Pima County, Arizona in book 4 of Maps and Plats at page 99, lying southerly of the north 76 feet of said block 40.

1.4. Lease: The lease for the Leased Premises naming Tenant as tenant, dated June 2, 2016.

1.5. Effective Date: June 2, 2019

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 is hereby extended for an additional Three (3) years, ending on June 1, 2022.

2.2 Authority. This Amendment is entered into pursuant to A.R.S. 11-251(9).

2.3 Conflict of Interest. The Lease is subject to cancellation for conflict of interest provisions of A.R.S. § 38-511, the pertinent provisions of which are incorporated into and made part of this lease as if set forth in full.

2.4 Applicable Law. The laws and regulations of the State of Arizona shall govern the rights of the parties, the performance of this Lease and any disputes hereunder. Any action relating to this Lease shall be brought in a court of the State of Arizona in Pima County. Any changes in the governing laws, rules and regulations during the terms of this Lease shall apply but do not require an amendment.

2.5 Nondiscrimination. Tenant shall 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 in the course of carrying out Tenant's duties pursuant to the Lease. Tenant shall comply with the provisions of Executive Order 75-5, as amended by Executive Order 99-4, which are incorporated into this Lease by reference as if set forth in full herein.

2.6 Notice. Any notice required or permitted to be given under this Lease shall be in writing and shall be served by personal delivery, United States mail service, electronic transmission, or by fax, upon the other party. Notice to Landlord shall be addressed and mailed as follows:

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.

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

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

_____
Richard Elias, Chairman, Board of Supervisors

Date: _____

ATTEST:

_____
Julie Castaneda, Clerk of the Board

Date: _____

APPROVED AS TO CONTENT:

_____
Jackson Jenkins, Director, Regional Waste Water

_____
Neil J. Konigsberg, Manager, Real Property Services

APPROVED AS TO FORM:

_____
Kell Olson, Deputy County Attorney, Civil Division

TENANT:
Mount Lemmon Domestic Water Improvement District

By: Michael A. Stanley
MANAGER.

Date: 4/15/2019