



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: April 6, 2021

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Larry E. and Claire B. Klingler, d/b/a First Plaza LLC

***Project Title/Description:**

Second Amendment to Lease

***Purpose:**

To exercise the final option to extend the lease of the Dewhirst-Catalina Library at 15631 N. Oracle Rd, Suite #191, Catalina, for three (3) years, and add three (3) new lease renewal options of three (3) years each.

***Procurement Method:**

Exempt pursuant to Pima County Code section 11.04.020 D.

***Program Goals/Predicted Outcomes:**

Allow the Dewhirst-Catalina Library to continue providing children's story time, book clubs for adults, access to computers and individual computer assistance by appointment to residents of Catalina and northern Pima County for an additional three (3) years, from May 1, 2021 through April 30, 2024. Pima County may cancel this lease at any time, with or without reason, by giving 90 days advance written notice to the landlord.

***Public Benefit:**

Residents in northern Pima County and Catalina will continue to have access to books, public computers, children's story time and book clubs for adults.

***Metrics Available to Measure Performance:**

Provision of continuous library services for children and adults residing in the Catalina and northern Pima County community.

***Retroactive:**

No.

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TO: COB 3-24-21 (1)
VERS: 30
PGS: 13
ADDENDUM

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: CT Department Code: LIB Contract Number (i.e., 15-123): 15-469
Amendment No.: Two (2) AMS Version No.: 30
Commencement Date: 5-01-2021 New Termination Date: 4/30/2024
Prior Contract No. (Synergen/CMS): _____
☒ Expense or ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 510,911.28

Is there revenue included? ☐ Yes ☒ No If Yes \$ _____

***Funding Source(s) required:** Library District Operating Fund #2051

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: Nina Armstrong

Department: Facilities Management Telephone: 724-2725

Department Director Signature/Date: C. R. Schubert 3/23/21

Deputy County Administrator Signature/Date: J. H. 3/24/21

County Administrator Signature/Date: C. R. Schubert 3/26/21
(Required for Board Agenda/Addendum Items)

PIMA COUNTY LIBRARY DISTRICT

PROJECT: SECOND AMENDMENT TO LEASE - CATALINA LIBRARY

LANDLORD: LARRY E. & CLAIRE B. KLINGLER, d/b/a FIRST PLAZA, LLC.

LEASE NO.: CT-LIB-15*469

LEASE AMENDMENT NO.: TWO (2)

Original Lease Term: 05/01/2015 -04/30/2018
Termination Date Prior Amendment: 04/30/2021
Termination Date This Amendment: 04/30/2024

Original Lease Amount: \$ 172,000.00
Prior Amendments: \$ 190,000.00
Amount This Amendment: \$ 148,911.28
Revised Lease Amount: \$ 510,911.28

**SECOND AMENDMENT TO LEASE
15631 N. ORACLE ROAD
SUITE 191**

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

1.1. Landlord: Larry E. and Claire B. Klingler, d/b/a First Plaza, LLC (hereinafter referred to as "Landlord")

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

1.3. Leased Premises: Suite 191, consisting of approximately 2,402.6 rentable square feet, in the building located at 15631 N. Oracle Road, Catalina, Arizona 85793 (Pima County Assessor Parcel Number 222-21-059D), which is also known as the First Plaza Center.

1.4. Lease: The Lease for the Leased Premises naming Tenant as tenant, dated May 1, 2015, as amended. The current term of the Lease ends April 30, 2021. The Tenant has one additional 3-year extension option.

1.5. Additional Rents: Tenant's proportionate share of the costs and expenses defined in Lease Article II as Commercial Lease Tax and Operating Expenses.

2. **MODIFICATION OF LEASE.** Landlord and Tenant hereby agree to exercise the final remaining extension option and grant additional extension options as follows:

2.1. **TERM.** The Term is hereby extended to April 30, 2024. Tenant is hereby granted three (3) additional renewal options to extend for an additional three (3) years per option period.

2.2. **BASE RENT AND ADDITIONAL RENT.** The Base Rent and Tenant's estimated Additional Rents are as follows:

| Lease Year | \$/SqFt/Yr | Monthly Base Rent | Annual Base Rent | ESTIM. CAMs Per Year (1) | ESTIM. Lease Tax (0.005%) | Grand Totals |
|------------------------|------------|----------------------|---------------------|--------------------------------|---------------------------------|--------------|
| Yr 1: 5/1/21 - 4/30/22 | \$ 16.00 | \$ 3,203.47 | \$ 38,441.60 | \$ 8,173.20 | \$ 192.21 | \$ 46,807.01 |
| Yr 2: 5/1/22 - 4/30/23 | \$ 17.00 | \$ 3,403.68 | \$ 40,844.20 | \$ 8,581.86 | \$ 204.22 | \$ 49,630.28 |
| Yr 3: 5/1/23 - 4/30/24 | \$ 18.00 | \$ 3,603.90 | \$ 43,246.80 | \$ 9,010.95 | \$ 216.23 | \$ 52,473.99 |

(1) Assumes 5.0% annual CAM & Op Exp increase

3. **NOT-TO-EXCEED AMOUNT.** Tenant's total monetary obligations under the Lease, including Base Rent and estimated Additional Rent, will not exceed \$510,911.28 through the initial term of this Second Amendment.
4. **REMAINING LEASE TERMS UNCHANGED.** Except as modified by this Second Amendment, all terms and conditions of the Lease shall remain in full force and effect.
5. **EFFECTIVE DATE.** This Amendment shall be effective as of May 1, 2021.

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

TENANT:

PIMA COUNTY, A BODY POLITIC

Sharon Bronson, Chair, Board of Supervisors

Date _____

ATTEST:

Julie Castañeda, Clerk of Board

Date _____

APPROVED AS TO CONTENT:

Amber Mathewson, Director, Library District

Date 3/23/21

Lisa Josker, Director, Facilities Management

Date 3/23/21

APPROVED AS TO FORM:

Victoria Buchinger, Deputy County Attorney

Date 3/22/21

LANDLORD:

LARRY E. & CLAIRE B. KLINGLER
d/b/a FIRST PLAZA, LLC

Larry E. Klingler

Date 3-23-2021

Claire B. Klingler
by handwritten signature

Date 3-23-2021