



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 10/19/2021

or Procurement Director Award: ☐

* = Mandatory, information must be provided

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

Sculpture Tucson.Org.,Inc., an Arizona nonprofit corporation ("Sculpture")

***Project Title/Description:**

First Amendment to Lease between Sculpture and Pima County ("County")/RP File: LCP-0017

***Purpose:**

This amendment will extend the lease to Sculpture at 3420 E. River Rd. ("the Property") to September 30, 2027 with an additional extension option. Sculpture will be making additional improvements to the Property within the three years from the effective date of this amendment. The remaining terms of the lease are unchanged.

***Procurement Method:**

Exempt pursuant to Pima County Code 11.04.202

***Program Goals/Predicted Outcomes:**

Staff recommends that the Board of Supervisors approve the Amendment to the Lease with Sculpture.

***Public Benefit:**

Sculpture will continue to work with the local community partners, government entities, and art and business organizations to help artists connect to resources that creates hands on art education programs free to the public.

***Metrics Available to Measure Performance:**

Sculpture will pay \$100.00/month and all utilities; will maintain the Property; and will make improvements to the Property as additional consideration for the amendment to lease.

***Retroactive:**

Yes, a slight delay was incurred as a result of needing to obtain signatures from Sculpture.

Attachment: Location Map

TD-COB 10-4-21 U
Vers: 1
Pgs: 7

THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (*) fields

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: CTN Department Code: RPS Contract Number (i.e., 15-123): 22*0042

Amendment No.: 1 AMS Version No.: 1

Commencement Date: 10/01/2021 New Termination Date: 09/30/2027

Prior Contract No. (Synergen/CMS): LTN-PW-204056

☐ Expense ☒ Revenue ☐ Increase ☐ Decrease

Amount This Amendment: \$ 6,000.00

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): _____

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: Rita Leon

Department: Real Property Services

Telephone: 724-6462

Department Director Signature: _____

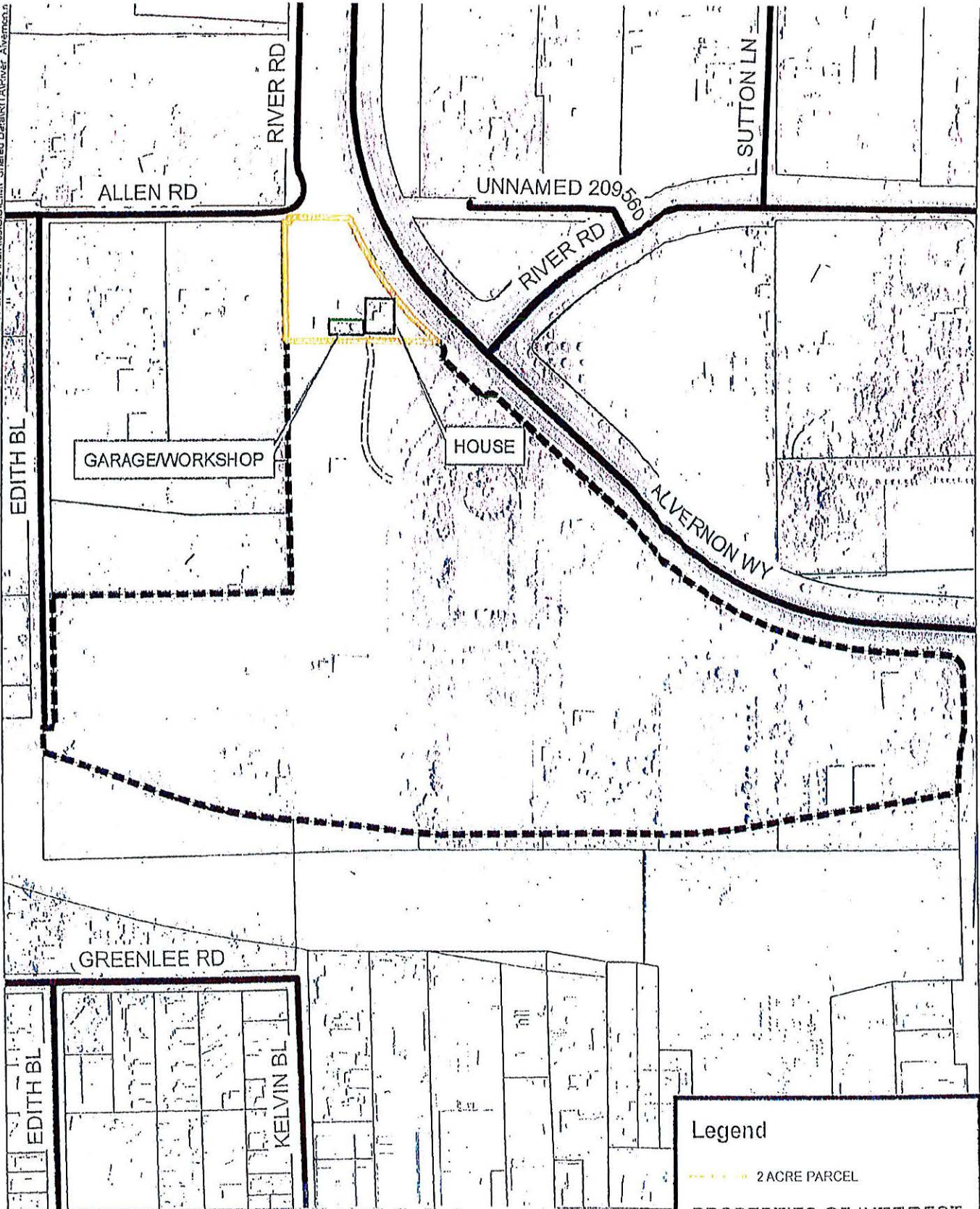
Date: 10/1/2021

Deputy County Administrator Signature: _____

Date: 10/4/2021

County Administrator Signature: _____

Date: 10/4/21



LOCATION MAP

3420 E. RIVER RD
SECTION 28, TOWNSHIP 13E, RANGE 14E

Legend

2 ACRE PARCEL

PROPERTIES OF INTEREST

PARCEL

11101032F



**PIMA COUNTY DEPARTMENT OF:
REAL PROPERTY SERVICES**

LANDLORD: Pima County

TENANT: Sculpture Tucson.org., Inc., an Arizona non-profit corporation

LEASE NO.: CTN-RPS-22*042 (FKA, CTN-PW-20*056)

LEASE AMENDMENT NO.: One (1)

ORIGINAL LEASE TERM:	10/01/2019 – 9/30/2022	ORIG. LEASE AMOUNT:	\$3,600.00
TERMINATION DATE PRIOR AMENDMENT:	N/A	PRIOR AMENDMENTS:	N/A
TERMINATION THIS AMENDMENT:	9/30/2027	AMOUNT THIS AMENDMENT:	\$6,000.00
		REVISED LEASE AMOUNT:	\$9,600.00

FIRST AMENDMENT TO LEASE

1. BACKGROUND AND PURPOSE; EFFECTIVE DATE

1.1. Pima County, a political subdivision of the State of Arizona (“County”) owns real property at 3420 E. River Road, Tucson, Arizona (the Property), which is legally described in attached Exhibit A and depicted on attached Exhibit A-1, with access to the property shown on attached Exhibit B.

1.2. Sculpture Tucson.org., an Arizona non-profit corporation (“Tenant”) currently occupies the Property under a Lease Agreement # CTN-PW-20-056, dated October 1, 2019 (revised to CTN-RPS-22*042 due to internal Financial revisions). The lease Agreement is scheduled to terminate on September 30, 2022.

1.3. Tenant has completed certain improvements to the Property as required by the Lease Agreement; the parties desire that Tenant make additional improvements to the Property.

1.4. The parties also wish to extend the Term of the Lease for an additional five years past its current termination date.

1.5. Effective Date: This Amendment is effective as of October 1, 2021.

2. **MODIFICATION OF LEASE.** County and Tenant hereby modify the terms of the Lease as follows:

2.1. Term: The Lease is extended for an additional five years, with the amended Term to begin on October 1, 2021 and terminate on September 30, 2027, unless otherwise terminated or extended by the parties.

2.2. Extension Option: At the end of the amended Term, provided Tenant is not in default of any requirements of this amended Lease, provided Tenant has timely completed all improvements required by this amended Lease in Paragraph 2.3 below, and provided the parties mutually agree, Tenant may extend the Lease for an additional five years. Tenant must give County written notice of its intent to extend the Lease no more than two years and no less than one year before the end of the amended Term.

2.3. Improvements: Tenant will complete the following additional improvements to the Property as shown in Exhibit "C-1" (the Improvements) within three years from the effective date of this Amendment, or by September 30, 2024. Tenant will notify County before commencing construction of the Improvements. All Improvements must comply with Section 10 of original Lease Agreement.

2.4. 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.

2.5. Applicable Law. Any legal action relating to this Lease must be brought in an Arizona court in Pima County; Arizona law will apply to all such disputes.

2.6. Nondiscrimination. During the Term of this Lease, Tenant will 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, and Tenant will at all times comply with the provisions of Arizona Executive Order 2009-09.

2.7. Notice. Any notice required or permitted to be given under this Lease shall be in writing and shall be served on the other party by personal delivery, United States mail service, electronic transmission, or by fax. Notice to County must be served on:

Pima County Real Property Services
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701-1215
Phone: 520.724-6462
Fax: 520.724-6763

The Parties hereby execute this First Amendment on the day, month and year written below.

LANDLORD:

**Pima County, a political subdivision of
the State of Arizona**

TENANT:

**Sculpture Tucson.org., Inc an Arizona non-
non-profit corporation**

Sharon Bronson, Chairman Board of Supervisors

Signature

Date _____

ATTEST:

Name and Title (please print)

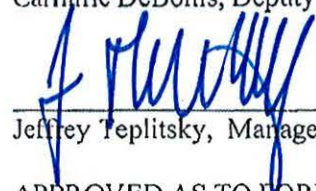
Date Sept. 16, 2021

Julie Castaneda, Clerk of Board

Date _____

APPROVED AS TO CONTENT:

 10/4/2021
Carmine DeBonis, Deputy County Administration-Public Works


Jeffrey Teplitsky, Manager, Real Property Services

APPROVED AS TO FORM:

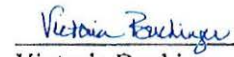
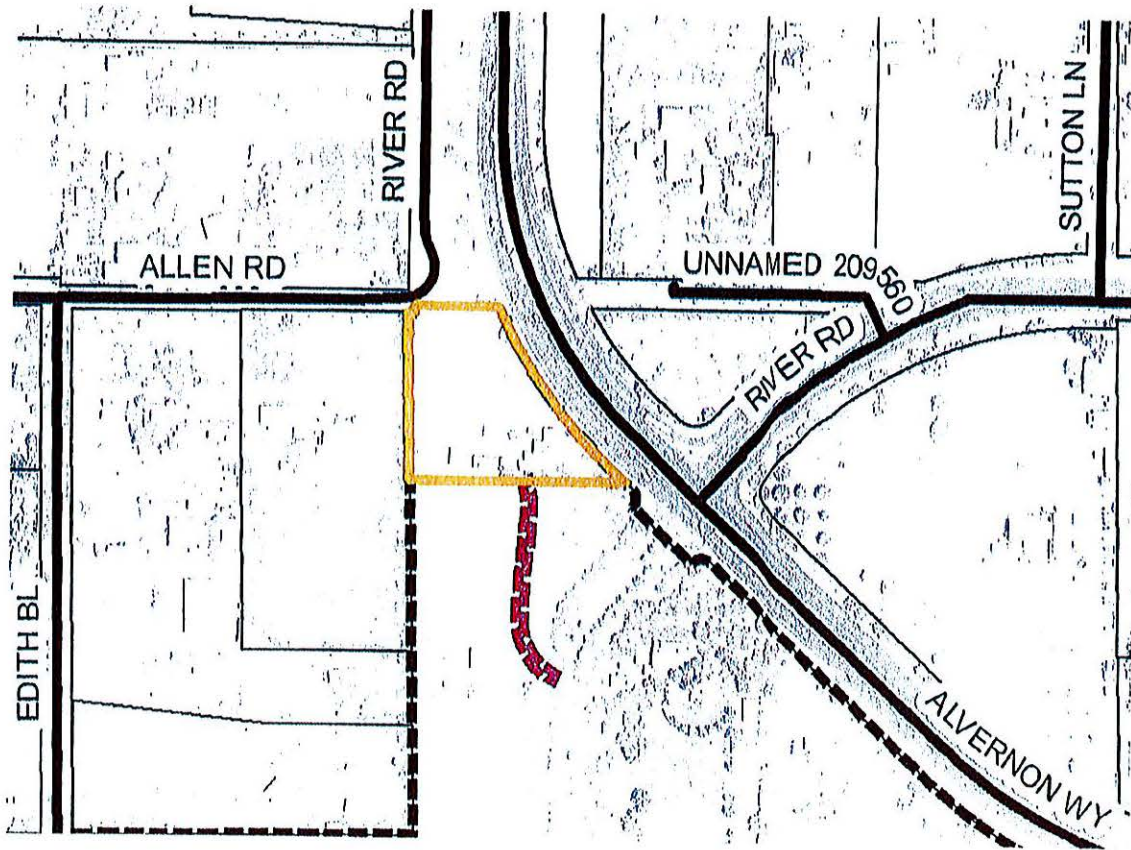


Victoria Buchinger, Deputy County Attorney

EXHIBIT "A"

A portion of tax parcel 111-01-032f, a 2 acre parcel in Section 28, Township 13 East Range 14 West

AERIAL PHOTO



 Subject Boundary Lines (Encompassing 2 Acres Approximate). Note: no survey has been conducted to determine the exact boundary lines of what would constitute 2 acres. The above depiction is based on GIS mapping measurements and are an approximation only.

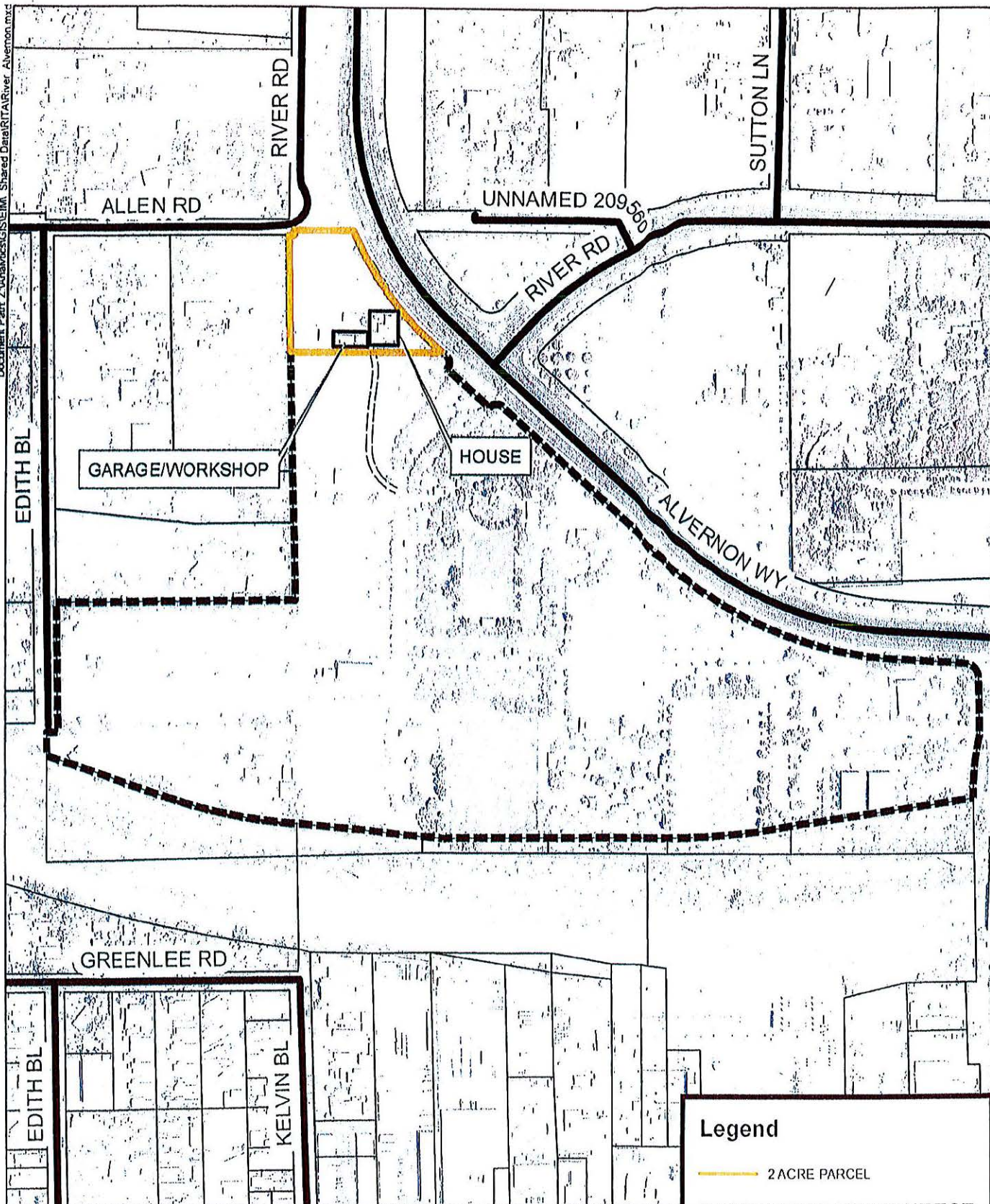


EXHIBIT "A-1"

3420 E. RIVER RD
SECTION 28, TOWNSHIP 13E, RANGE 14E

Legend

— 2 ACRE PARCEL

PROPERTIES OF INTEREST

PARCEL

11101032F

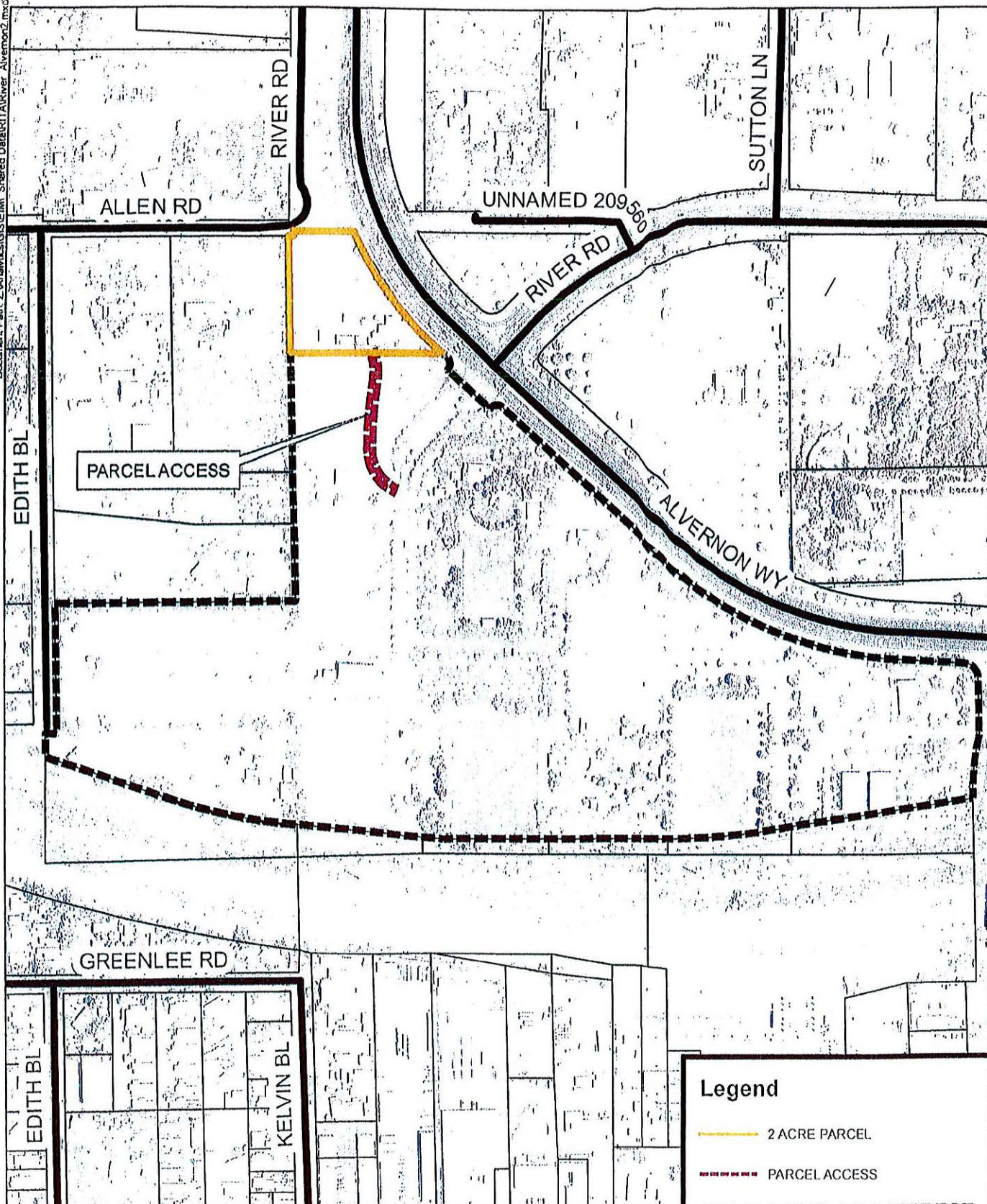


EXHIBIT "B"

3420 E. RIVER RD
SECTION 28, TOWNSHIP 13E, RANGE 14E

Legend

- 2 ACRE PARCEL
- PARCEL ACCESS

PROPERTIES OF INTEREST

PARCEL

11101032F

Exhibit "C-1"

Improvements for the Post House

	Estimated cost
1. Outside lighting (6 poles around house)	\$10,000.00
2. Improvements in Barn (concrete floor, shelves, ect)	\$10,000.00
3. Handicap accessible pathway throughout sculpture garden area	\$25,000.00
4. Back and front yard ground cover	\$25,000.00
5. Pathway from gate to front yard	\$10,000.00
6. Landscape improvements within drainage area	\$ Unknown at this time
7. Upgrades and everyday maintenance to the property	\$ 3,000.00 yearly
8. Complete ranch style fencing around property	\$20,000.00
9. Ranch house: upgrade bathrooms	\$ 5,000.00
10. Air condition west portion of ranch	\$ 5,000.00