

# CITY COUNCIL REPORT



Meeting Date: **September 19, 2023**  
 General Plan Element: ***Housing***  
 General Plan Goal: ***Seek a variety of housing options to meet the community's socioeconomic needs.***

## **ACTION**

### **Adopt Resolution No. 12908**

Authorizing agreement No. 2018-039-COS-A5, the fifth amendment to the agreement with Maricopa County on behalf of the Maricopa HOME Consortium, extending completion deadlines and making other administrative revisions.

Authorizing the Community Services Assistant Executive Director to execute any other documents and take such actions as necessary to carry out the intent of the Resolution.

## **BACKGROUND**

The City of Scottsdale and Maricopa County entered into a financial Intergovernmental Agreement (IGA) which was fully executed on or about May 17, 2018 (City Contract No. 2018-039-COS). The purpose of the agreement was for the city to acquire, rehabilitate, and rent a single-family home to low-income families. This IGA was amended on four occasions with the last one occurring on June 8, 2021, when the County provided the city with \$219,957 in 2016 HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD).

The parties now agree to amend the Agreement by this Amendment No. 5 as follows:

- A. Extend the term of the Agreement through September 30, 2024.
- B. Change Lead Agency Maricopa County  
 Representative: Shawn Pierce, Deputy Director Human Services Department  
 Phone: 602-506-5006  
 E-Mail: [shawn.pierce@maricopa.gov](mailto:shawn.pierce@maricopa.gov)  
 Address: 234 North Central, 3<sup>rd</sup> Floor Phoenix AZ 85004
- C. Revise and extend the expenditure timeframe for the 2018 Work Statement from September 30, 2022, through September 30, 2024.

D. Revise and extend the expenditure timeframe for the 2019 Work Statement from September 30, 2023, through September 30, 2024

All other terms and con and conditions of the original agreement amendment numbers 1, 2,3 and 4 shall remain the same and in full force and effect as approved.

The Parties have authorized the undersigned to execute this Amendment No. 5 on their behalf, and it shall be effective upon approval and signature by both Parties.

## **RESOURCE IMPACTS**

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### **Available Funding**

Budget appropriation was planned for and is available in the FY 2023/24 adopted budget for Community Services Division, Grant Funds to support the fifth amendment of the agreement.

### **Staffing, Workload Impact**

No additional staffing or other resources are anticipated.

## **OPTIONS & STAFF RECOMMENDATION**

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### **Recommended Approach**

Adopt Resolution No. 12908

Authorizing agreement No. 2018-039-COS-A5, the fifth amendment to the agreement with Maricopa County on behalf of the Maricopa HOME Consortium, extending completion deadlines and making other administrative revisions.

Authorizing the Community Services Assistant Executive Director to execute any other documents and take such actions as necessary to carry out the intent of the Resolution.

## **RESPONSIBLE DEPARTMENT(S)**

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Community Services, Business Operations

## **STAFF CONTACT(S)**

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Judy Doyle, Community Services Assistant Executive Director

Bryan Bundy, Community Services Business Operations Manager

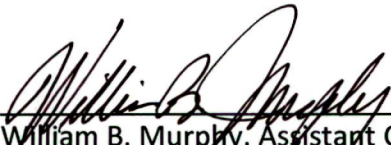
Mary Witkofski, Community Assistance Manager

**APPROVED BY**

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Ana Lia Johnson, Acting Budget Director  
480-312-7893, [Ajohnson@scottsdaleaz.gov](mailto:Ajohnson@scottsdaleaz.gov)

8/18/2023  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
William B. Murphy, Assistant City Manager  
480-312-7954 [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

8/18/2023  
\_\_\_\_\_  
Date

**ATTACHMENTS**

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1. Resolution No.12908
2. Contract No. 2018-039-COS-A5

RESOLUTION NO. 12908

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE CONTRACT NUMBER 2018-039-COS-A5, THE FIFTH AMENDMENT TO THE HOME FUNDING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SCOTTSDALE AND MARICOPA COUNTY, ON BEHALF OF THE MARICOPA HOME CONSORTIUM.

WHEREAS, Arizona Revised Statutes Sections 11-951, *et seq.* provide that public agencies may enter into intergovernmental agreements for the provision of services or joint or cooperative action;

WHEREAS, Article 1, Section 3-1 of the City Charter of the City of Scottsdale authorizes the City to enter into intergovernmental agreements with various public agencies including counties such as Maricopa County;

WHEREAS, the City is presently a party to Intergovernmental Agreement (IGA) No. 2005-002-COS, as amended, with Maricopa County the Cities of Chandler, Glendale, Tempe, Avondale, and Peoria, and the Town of Gilbert, the purpose of which was to form a consortium known as the Maricopa HOME Consortium (Consortium);

WHEREAS, the purpose of the Consortium is to engage the parties to receive federal HOME funds to increase the supply of quality affordable housing;

WHEREAS, the City previously entered into Contract No. 2018-039-COS and four amendments allocating to the City federal HOME funds for fiscal years 2016/17, 2017/18, 2018/19, and 2019/20; and

WHEREAS, the City and the Consortium desire to enter into Contract No. 2018-039-COS-A5, the Fifth Amendment to the IGA between the City and Maricopa County on behalf of the Consortium, extending completion deadlines and making other administrative revisions;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes, approves and directs the Mayor to execute, on behalf of the City, Contract No. 2018-039-COS-A5, the Fifth Amendment to the HOME Funding IGA between the City and Maricopa County, on behalf of the Maricopa HOME Consortium.

Section 2. The City Council hereby authorizes the City's Community Services Assistant Executive Director to execute any other documents and take such other actions as are necessary to carry out the intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this \_\_\_\_\_ day of \_\_\_\_\_, 2023.


CITY OF SCOTTSDALE, an Arizona  
municipal corporation

ATTEST:

\_\_\_\_\_  
David D. Ortega, Mayor

\_\_\_\_\_  
Ben Lane, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By Joe Padilla, Deputy City Attorney

AMENDMENT NO. 5 TO THE  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
MARICOPA COUNTY  
ADMINISTERED BY ITS  
HUMAN SERVICES DEPARTMENT  
AND  
CITY OF SCOTTSDALE

Maricopa County ("County") administered by its Human Services Department and the City of Scottsdale ("City and/or Subrecipient") entered into a financial Intergovernmental Agreement ("Agreement"), which was fully executed on or about May 17, 2018. The purpose of the Agreement is for the City to acquire, rehabilitate and rent a single-family home to a low-income family. The County provided the City with \$219,957 in 2016 HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). All work performed or cost incurred or expended shall be reimbursable through September 30, 2019. The County and the City may be referred to individually as a "Party" and collectively referred to as "Parties."

The Parties fully executed Amendment No. 1 on or about November 20, 2018, to add a 2017 Work Statement for the City to acquire, rehabilitate, and rent an additional single-family home to a low-income family. The County provided the City with \$219,039 for the 2017 Work Statement. All work performed or cost incurred or expended under the 2017 Work Statement shall be reimbursable through September 30, 2021. Upon approval of Amendment No. 1, the Agreement funding amount increased to \$438,996.

The Parties fully executed Amendment No. 2 on or about January 24, 2019, to add a 2018 Work Statement for the City to acquire, rehabilitate, and rent an additional single-family home to a low-income family. The County provided the City with \$331,572 for the 2018 Work Statement. All work performed or cost incurred or expended under the 2018 Work Statement shall be reimbursable through September 30, 2022. Upon approval of Amendment No. 2, the Agreement funding amount increased to \$770,568.

The Parties fully executed Amendment No. 3 on or about December 19, 2019, to add a 2019 Work Statement for the City to acquire, rehabilitate, and rent an additional single-family home to a low-income family. The County provided the City with \$314,693.94 for the 2019 Work Statement. All work performed or cost incurred or expended under the 2019 Work Statement shall be reimbursable through September 30, 2023. Upon approval of Amendment No. 3, the Agreement funding amount increased to \$1,085,261.94.

The Parties fully executed Amendment No. 4 on or about June 16, 2021, which extended the expenditure period for the 2016 Work Statement from October 1, 2019. Through September 30, 2022. Additional required language was added to Section I (General Provisions), Section II (Special Provisions), and Section IV (Compensation). The overall Agreement funding amount remains unchanged.

- I. The Parties agree to enter into this Amendment No. 5 to amend the Agreement as follows:
  - A. Extend the term of the Agreement through September 30, 2024.

- B. Change Lead Agency Maricopa County  
Representative: Shawn Pierce, Deputy Director Human Services Department  
Phone: 602-506-5006  
E-Mail: [shawn.pierce@maricopa.gov](mailto:shawn.pierce@maricopa.gov)  
Address: 234 North Central, 3<sup>rd</sup> Floor Phoenix AZ 85004
  - C. Revise and extend the expenditure timeframe for the 2018 Work Statement from September 30, 2022, through September 30, 2024.
  - D. Revise and extend the expenditure timeframe for the 2019 Work Statement from September 30, 2023, through September 30, 2024.
- II. Section II above contains all the changes made by this Amendment No. 5. All other terms and conditions of the Agreement shall remain the same and in full force and effect as approved.
- III. The Parties have authorized the undersigned to execute this Amendment No. 5 on their behalf, and it shall be effective upon approval and signature by both Parties.

IN WITNESS, the Parties have approved and signed this Amendment: No. 5:

**FOR CITY OF SCOTTSDALE:**

**FOR MARICOPA COUNTY:**

\_\_\_\_\_  
David D. Ortega Date  
Mayor

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Clint Hickman Date  
Chairman, Board of Supervisors

Attestation:

Attestation:

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Ben Lane Date  
City Clerk

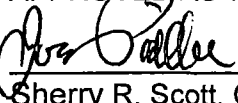
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Juanita Garza Date  
Clerk of the Board

IN ACCORDANCE WITH A.R.S. §§ 9-240 and 11-952, THIS AMENDMENT NO. 5 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO THE CITY OF SCOTTSDALE UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 5 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED IT IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO MARICOPA COUNTY UNDER THE LAWS OF THE STATE OF ARIZONA.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

  
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Sherry R. Scott, City Attorney Date  
By: Joe Padilla, Deputy City Attorney

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Deputy County Attorney Date