

AMENDMENT NO. 1 TO THE  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
MARICOPA COUNTY  
ADMINISTERED BY ITS  
HUMAN SERVICES DEPARTMENT  
AND  
CITY OF CHANDLER

- I. Maricopa County ("County") administered by its Human Services Department and the City of Chandler ("City") entered into a financial Intergovernmental Agreement ("Agreement"), on or about November 21, 2023. The purpose of the Agreement is for the City to develop two new rental developments. Haven On Hamilton (73 S. Hamilton St.) will consist of 250 affordable rental units. Villas on McQueen (77. N McQueen Rd.) will consist of 157 affordable rental units. The County provided the City with \$10,000,000 in American Rescue Plan Act Coronavirus State and Local Fiscal Recovery (ARPA-SLFRF) funds under Assistance Listing Number (ALN) 21.027.
- II. The Parties agree to enter into this Amendment No. 1 to Amend the Agreement as follows:
- A. Extend the Agreement term from November 30, 2026, to December 31, 2026.
- B. Add Federal Award Identification Number (FAIN) and Award Date to Page 1 of the Agreement:
- FAIN / AWARD DATE: 21.027: SLFRP0146 awarded 5/18/2021
- C. Revise Paragraph 5.0 (Administrative Change Orders) by removing it in its entirety and replacing with the following:

**5.0 ADMINISTRATIVE CHANGE ORDERS**

- 5.1 The Chair of the Board of Supervisors is authorized, upon the recommendation of the Human Services Department Director and Legal Counsel, to review and execute administrative changes to the Agreement on behalf of the County through Administrative Change Orders. Administrative Change Orders will be effective upon execution by both the Parties. Administrative Change Orders shall address any of the following changes:
- 5.1.1 Modifications to the project timeline if the last day of the project timeline is within the Agreement term;
- 5.1.2 Modifications to Budget line items if the Agreement amount remains unchanged;
- 5.1.3 Modifications required by federal, state, or County regulations, ordinances, or policies; and/or
- 5.1.4 Modifications to Administrative requirements such as changes in reporting periods, frequency of reports, or report formats required by federal, state, and local regulations, policies, or requirements.

D. Add the following Paragraph to the Agreement:

**56.0 PROVISIONS REQUIRED BY LAW**

Each and every provision of law and any clause required by law to be in this Agreement will be read and enforced as though it were included herein and, if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, this Agreement will promptly be physically amended to make such insertion or correction.

E. Revise Exhibit A-Statement of Work to address the following:

1. Revise Section 5.0 (Budget). The total budget amount remains unchanged.
2. Revise Section 6.0 (Proposed Project Schedule).

F. Revise Exhibit B-Statement of Work, Section 6.0 (Proposed Project Schedule).

III. Section II above contains all the changes to the Agreement made by this Amendment No. 1. The Agreement is amended to incorporate the changes contained in this Amendment No. 1. All other terms and conditions of the Agreement remain in full force and effect as executed by the Parties. This Amendment No. 1 is subject to and incorporates the provisions of A.R.S. § 38-511.

IV. The Parties have authorized the undersigned to execute this Amendment No. 1 on their behalf, and it shall be effective upon approval and signature by both Parties.

[Signatures contained on following page]

IN WITNESS, the Parties have approved and signed this Amendment No. 1:

APPROVED BY:  
CITY OF CHANDLER

APPROVED BY:  
MARICOPA COUNTY

\_\_\_\_\_  
Kevin Hartke Date  
Mayor

\_\_\_\_\_  
Kate Brophy McGee Date  
Chair, Board of Supervisors

Attested To:

Attested To:

\_\_\_\_\_  
Jennifer Ekblad Date  
City Clerk

\_\_\_\_\_  
Juanita Garza Date  
Clerk of the Board

IN ACCORDANCE WITH A.R.S. §§ 9-240 AND 11-952, THIS AMENDMENT NO. 1 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 CHANDLER UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 1 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:

\_\_\_\_\_  
City Attorney Date  
DMG

\_\_\_\_\_  
Deputy County Attorney Date

**EXHIBIT A- STATEMENT OF WORK****5.0 Budget:**

| <b>Fund Sources</b>    |              |
|------------------------|--------------|
| <b>Sources</b>         | <b>Total</b> |
| Maricopa County – ARPA | \$5,000,000  |

  

|                                                                                                                                                                               | <b>ARPA Funds</b>  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Acquisition Costs</b>                                                                                                                                                      |                    |
| Land                                                                                                                                                                          | \$0                |
| Building Acquisition                                                                                                                                                          | \$0                |
| Other: taxes, title, recording                                                                                                                                                | \$0                |
| <b>General Development Costs</b>                                                                                                                                              |                    |
| Pre-development costs, design, architect and engineering fees, construction hard costs and other fees and costs associated with the predevelopment financing and construction | \$5,000,000        |
| <b>Developer's Fee</b>                                                                                                                                                        |                    |
| Developer's Fee                                                                                                                                                               | \$0                |
| <b>Program Administration Costs*</b>                                                                                                                                          |                    |
| Program Management Services                                                                                                                                                   | \$0                |
| Staff                                                                                                                                                                         | \$0                |
| <b>TOTALS</b>                                                                                                                                                                 | <b>\$5,000,000</b> |

**6.0 Proposed Project Schedule:**

| <b>Project Milestone</b>             | <b>Estimated Completion Date</b> | <b>Comments</b>                      |
|--------------------------------------|----------------------------------|--------------------------------------|
| Site Acquisition                     | Complete                         | City of Chandler Public Housing Site |
| Construction Loan (Closing Date)     | Feb 2025                         |                                      |
| Partnership Closing (Closing Date)   | Feb 2025                         |                                      |
| Permanent Loan Commitment            | Sept 2024                        |                                      |
| Permanent Loan Closing               | June 2026                        |                                      |
| Other Funds Firm Commitment          | Dec 2024                         |                                      |
| Other Funds Firm Commitment          | Dec 2024                         |                                      |
| Environmental Review Completion      | July 2024                        |                                      |
| Authority to Use Grant Funds         | Aug 2023                         |                                      |
| Zoning Entitlements                  | Aug 2024                         |                                      |
| Plans Submitted to the Municipality  | June 2024                        |                                      |
| Civil Permits Issued                 | Feb 2025                         |                                      |
| Building Permits Issued              | Feb 2025                         |                                      |
| Contractors Notice to Proceed Issued | Feb 2025                         |                                      |
| Construction Mobilization            | Feb 2025                         |                                      |
| 25% Completion                       | July 2025                        |                                      |
| Expend Maricopa County ARPA Funds    | Dec 2025                         |                                      |
| 50% Completion                       | Dec 2025                         |                                      |
| 75% Completion                       | June 2026                        |                                      |
| Certificate of Occupancy             | Oct 2026                         |                                      |
| ARPA-Assisted Units Occupied         | Nov 2026                         |                                      |

**EXHIBIT B - STATEMENT OF WORK****6.0 Proposed Project Schedule:**

| <b>Project Milestone</b>             | <b>Estimated Completion Date</b> | <b>Comments</b>                                                 |
|--------------------------------------|----------------------------------|-----------------------------------------------------------------|
| Site Acquisition                     | Complete                         | City of Chandler owns the site                                  |
| Construction Loan (Closing Date)     | Feb 2024                         |                                                                 |
| Partnership Closing (Closing Date)   | Feb 2024                         |                                                                 |
| Permanent Loan Commitment            | Sept 2023                        |                                                                 |
| Permanent Loan Closing               | June 2025                        |                                                                 |
| Other Funds Firm Commitment          | Complete                         | Commitments in place for federal and state tax credits          |
| Other Funds Firm Commitment          | Complete                         | Commitments in place for City of Chandler HOME and CDBG sources |
| Environmental Review Completion      | Oct 2023                         |                                                                 |
| Authority to Use Grant Funds         | Oct 2023                         |                                                                 |
| Zoning Entitlements                  | Aug 2023                         | City owned land-administrative process                          |
| Plans Submitted to the Municipality  | June 2023                        |                                                                 |
| Civil Permits Issued                 | Feb 2024                         |                                                                 |
| Building Permits Issued              | Feb 2024                         |                                                                 |
| Contractors Notice to Proceed Issued | Feb 2024                         |                                                                 |
| Construction Mobilization            | Feb 2024                         |                                                                 |
| 25% Completion                       | July 2024                        |                                                                 |
| 50% Completion                       | Dec 2024                         |                                                                 |
| 75% Completion                       | June 2025                        |                                                                 |
| Certificate of Occupancy             | Oct 2025                         |                                                                 |
| ARPA-Assisted Units Occupied         | Nov 2025                         |                                                                 |
| 100% Occupancy                       | Jan 2026                         |                                                                 |