Quorum having been established, Chair Lundin called the meeting to order at 9:30 a.m. on September 10, 2021.

Commissioners present were Michael Lundin, Enrique Serna, Carol Kovalik, Anita Kellman, Ted Schmidt, Richard Barker, Damion Alexander and Victor Rivera. Jan Johnson and Robert Owens were absent. Staff present were Chris Cawein, Robert Padilla, Joe Barr, Valerie Samoy, Robin Hadden, Ron Odell and Ann Khambholja. Mary Reynolds attended virtually.

Those present recited the pledge of allegiance.

Consent Agenda

A motion was made and seconded to approve the March 12, 2021 minutes. The motion passed.

COMMISSION DISCUSSION/ACTION REQUEST

1. Update from the NRPRAC Loop Sub-committee: Commissioner Alexander informed the commission that the sub-committee had been unable to come to a decision to meet further so he would like to bring it back to the whole commission. He feels this is something that needs to be addressed as he has noticed not only are there more e-bikes but other alternative modes of transportation on the Loop. He said that tourists and law abiding citizens are not using the Loop because of the ‘no e-bike’ policy and something needs to be done. Chair Lundin asked if he wanted to make a motion to abolish the sub-committee and put future items on the agenda. Commission Alexander agreed. The motion was seconded and passed. There was no further discussion.

2. Complaint resolution and public meetings (Valerie Samoy): Ms. Samoy explained the procedures NRPR uses for complaints received via phone, online or from other county departments. She informed them that most problems were resolved within one day. Phone inquiries were resolved at the Front Desk or forwarded to NRPR’s other divisions if action or further research was needed. The same procedure was used for online inquiries, and those replies were saved electronically for future reference. Inquiries regarding the Loop were handled by the Communications Office and a ‘frequently asked questions’ page was developed for that purpose. NRPR is currently developing a FAQs
page for its website to reduce the number of inquiries on recurring topics and issues. Regarding inquiries from other county departments, those responses are attended to by either the Division Manager or the Director’s Office.

When it is necessary to hold a public meeting, NRPR follows state statutes regarding posting of its meetings. NRPR rarely has unnoticed public meetings. On the rare occasions that public meetings are held offsite (like dedications and park openings), open houses are held and public notices are posted accordingly. Commissioner Kovalik asked about response time and was informed that unless a staff member had to go out to investigate, it was resolved within one day. Commissioner Kovalik asked about the staff member who was to be honored by the Board of Supervisors, pre-COVID. She was informed that he had left the county and moved to another state. Commissioner Kovalik asked whether she would be invited if there was a function like a ribbon cutting ceremony in her district. Ms. Samoy informed her that she along with the rest of the commissioners would be informed via email about the ribbon cutting ceremony along with an official invitation to attend. There were no more questions.

3. Update on Parklands Foundation (Mike Hellon): Chair Lundin informed them that there would not be a verbal presentation, but Mr. Hellon had sent copies of his presentation which were handed out to the commissioners. Commissioner Serna asked about the item since it was not clear to him what it had to do with the commission and that he would need to listen to the presentation. Commissioner Kellman said that she had asked for it to be on the agenda as she needed some clarification. She had been on the board of the Parklands Foundation some years ago and there had been some changes, but she was never informed that her services were no longer needed. She said she had researched a little about the Foundation and her concern was that there were only two board members, one being Mr. Hellon and the other being Mr. Padilla. She said that if it was a foundation, there should be more members, especially when there were willing people available. Chair Lundin directed that question to Mr. Cawein asking what the relationship was between NRPR and the Parklands Foundation, realizing that NRPR receives funds from them for park improvements and activities. Mr. Cawein informed him that Parklands Foundation is a not-for-profit 501c 3 registered organization. He said that during his time here, the organization has not been very active. Mr. Cawein reminded them that NRPR had received considerable funds from the Bert Martin Foundation who desired that there be a fiduciary agent to monitor and control those funds, and that is a critical role they serve. He informed them that Mr. Padilla could inform them more about his role. Mr. Padilla informed them that the prior President, Gale Bundrick, reached out and told him he wanted to pass the Foundation along to someone else as he had been the president for a long time. Mr. Padilla agreed and they had a meeting with the board members. Commissioner Kellman wanted to state for the record that she does not agree with this statement. After several months of unsuccessful attempts to get other people involved, NRPR reached out to Mr. Hellon to see if he would be interested in stepping in as an interim president, to which he agreed. All the necessary paperwork was taken care of and Mr. Padilla believes that the main challenge faced over the years was getting a handle on all of the accounts. One of the major issues was dealing with the IRS due to failure of submitting appropriate tax returns. Mr. Hellon needed to get an attorney which is what he was dealing with the first couple of years. Mr. Padilla informed them that he agrees that there should be more active members. He informed them that his involvement is more on the financial side, like dealing with the Bert Martin Foundation which provides funding annually. The
foundation does not give the funds directly to NRPR, but gives it to Parklands Foundation - a fiduciary agent. Mr. Padilla informed them that he monitors those funds and authorizes the expenditure of those funds, but outside of that there is not a lot of fund raising and he would like to have more members on board to help fund raise. Chair Lundin asked whether or not NRPR has no oversight as it is a separate entity. Commissioner Kovalik said she would challenge that since Mr. Padilla is handling the funds. Commissioner Kellman stated that she was not part of those conversations and only found out when she was informed that they changed the board. She asked if it was even legal according to the Arizona Corporation Commission to have only two members and Chair Lundin agreed with her. Commissioner Serna asked who appointed the members and who removed them. He was told that that would be the president since they could appoint their own members. Commissioner Serna asked for clarification that this was a separate foundation apart from Pima County and Mr. Padilla informed him that it was not part of Pima County. Commissioner Serna said he understood that but it seemed that they were one and the same entity. Chair Lundin informed him that a 501c 3 could not be part of a government agency. Chair Lundin asked whether it was an appropriate forum as NRPR has no control over it. Commissioner Kellman asked who monitors the funds and was informed that question needed to be addressed to the President of the Foundation. Commissioner Serna asked whether the sitting president could unilaterally remove people from the board. Chair Lundin said that there should be bylaws according to state statutes about how board members are voted on or off. Commissioner Serna questioned how someone who had been a member could be taken off. Mr. Cawein said it should have been anticipated that Mr. Bundrick would eventually retire, and he informed them that the county’s CFO asked whether they could disband the Foundation as there was not much activity. Mr. Cawein informed them that they did look around for candidates to take it over, but there was no one at that time. He did manage to get Mr. Hellon to step up and take over as well as look into the financial aspects and put them in order. Mr. Cawein said his goal is for them to step up and be an active organization with a full board and pursue more fund raising. Mr. Cawein informed the commissioners that Parklands Foundation through its relationship with Colossal Cave management, now owns 326 acres outside the park, and there was some discussion on how the county could purchase that from Parklands Foundation and make it part of the park. It would also create an endowment for Parklands. Commissioner Kellner said she did not like that there were two NRPR persons on the board and that there should be some outsiders as well. She was informed that Mr. Hellon was not an employee, only Mr. Padilla and that was because of his financial background. Mr. Cawein informed them that he had tried to get people on the board, but they were not interested. Commissioner Kellman said that she had expressed interest often, but there had been no contact. Mr. Cawein said that NRPR was not involved with restructuring the Foundation, but had only been trying to get people on the board. Mr. Padilla informed them that there were concerns about him joining due to his job at NRPR. NRPR reached out to the County Attorney for their opinion and they agreed that being a member at large on the Foundation board presented no conflict of interest. Commissioner Kovalik asked whether they were current with the IRS and should they be saved, and should they use United Way to get funding. Chair Lundin said that these are questions that need to be raised to their President. Mr. Cawein also informed them that Mr. Hellon is volunteering his time and does not get a stipend for his work. He also informed them that he is looking into funding that will help NRPR acquire their land surrounding Colossal Cave Mountain Park. Parklands also funds activities like the swim program, Ted Walker Youth Day, etc. Commissioner Serna said that he had never heard
of a two-person board and said NRPR should be concerned with the nuances of this – if one person is deciding on making a recommendation on funding just raises questions. Commissioner Kovalik stated that they do not have closure on this and Chair Lundin said that it would be continued at the next commission meeting since his biggest concern is an organization that is not following state statutes. Mr. Cawein reiterated that Mr. Hellon is volunteering his time and that he could not get anyone to step up to run this organization. Commissioner Kovalik asked if Mr. Hellon could let them know if he is actively searching for another member to meet state statutes. Commissioner Schmidt said that if you have to have an organization like this move forward, you have to actively look for new members and it might be worthwhile to look at the history and see who was involved. Chair Lundin asked for a motion to continue this at the next meeting. It was so moved and seconded.

4. Update on the Ajo Community Center (Khalil Bratton): Mr. Bratton was not able to attend, thus this item was tabled for the next meeting.

CALL TO THE PUBLIC:

Ms. Carol Kovalik wanted to recognize NRPR for the flag event in honor of 9/11 at Rillito Park.

FUTURE AGENDA ITEM(S):

Frequency of meetings
Parklands Foundation
Election of a new Vice Chair

ADJOURNMENT: As there was no further business to come before the commission, duly motioned and seconded, the meeting adjourned at 10:30 a.m.