Quorum having been established, Chair Lundin called the meeting to order at 9:28 a.m. on December 10, 2021.

Commissioners present were Michael Lundin, Enrique Serna, Carol Kovalik, Anita Kellman, Helen Gardner and Robert Owens (via Teams). Ted Schmidt, Richard Barker, and Victor Rivera were absent. Staff present were Chris Cawein, Robert Padilla, Joe Barr, Valerie Samoy, Robin Hadden, Ron Odell, Joe Barr, Kelly Cheeseman, Eryn McKinley, Mary Reynolds, Justin Dillingham and Ann Khambholja.

Those present recited the pledge of allegiance.

Consent Agenda

A motion was made and seconded to approve the September 10, 2021 minutes after two small corrections were made. The motion passed with all in favor.

COMMISSION DISCUSSION/ACTION REQUEST

1. Update on Parklands Foundation (Mike Hellon): Mr. Hellon informed the commission that despite some questions regarding the governance of Parklands Foundation, he was not and had never been an employee of Pima County, though he had worked on some projects for NRPR strictly as a volunteer. He informed them that there are two members on the Foundation Board, and he had discussed it with his CPA who said that though the IRS recommends three members, it is not a requirement. They have also filed annual reports with the Arizona Corporation Commission and have never been questioned or challenged by them or the IRS. Mr. Hellon said that he and Mr. Padilla had discussed expanding the board and expect to do so in the near future, however their priorities have been getting the foundation’s accounts in order, establishing administrative procedures and responding to funding requests. He informed them that requests for funding must be approved by Mr. Padilla, Ms. Nancy Cole or other suitably responsible person. The checks are then issued and the bank statements reconciled monthly, income and expenditures are reconciled annually and submitted in detail to the IRS. Donations are received via check, PayPal or occasionally in cash. The donors indicate where the monies are
to be spent and there are currently 37 separate dedicated accounts for which the foundation is holding funds. There is currently $239,500 on hand.

Mr. Hellon provided some history regarding the foundation. He said that in 2016 he was approached by Mr. Cawein and Mr. Padilla about taking over management of the foundation. Mr. Cawein and Mr. Padilla wanted a more efficiently run program and since the previous administration was found lacking, Mr. Hellon did not want hold-overs on the board. On December 28, 2016, there was a foundation meeting at which time Mr. Hellon assumed the presidency and Mr. Padilla became Vice President. All the former board members resigned.

After taking over, the first priority was to get the finances under control as the accounts were not in order, with some accounts showing negative balances. Mr. Hellon informed them that though he was not responsible for the foundation’s finances prior to 2017, he signed the tax returns, which are due on May 15th each year. The returns were delayed and finally signed on August 20, 2017. In October, Mr. Hellon received a letter from the IRS informing that the foundation was being charged a $2,380.00 late penalty fee. The CPA was nonchalant about that saying ‘just write them a letter they will waive the penalty’. Mr. Hellon subsequently learned in discussions with the IRS that filing late was habitual for the foundation. He had to explain what steps would be taken to ensure it would not happen again. For this reason, he made the following commitments – to retain a different CPA, all relevant financial data would be provided to the CPA by January 31st each year, an inquiry into the status of the return would be made no later than April 30th and if there was an anticipated delay in filing, the foundation would take it upon itself to file an extension. In January 2018, the IRS notified the foundation that the penalty had been waived and there have been no issues with the IRS ever since.

Mr. Hellon informed the commission that establishing an efficiently functioning foundation with clear procedures took more time than anticipated. The disorder was worse than expected, but the foundation is now operating smoothly. He informed them that the issue of an expanded board will be further considered, but as an operational entity, the Pima County Parklands Foundation is recognized as a responsible fiduciary by private donors as well as other foundations who have partnered with them to fund community enhancement projects.

Mr. Hellon thanked the commission for the opportunity to clarify some of the questions. Commissioner Kellman asked why the Memorial Bench program funds were commingled with the county. Mr. Cawein informed them that the foundation acts like a fiduciary agent and when Parklands purchases items we do not have to go through the Procurement process. Mr. Hellon also informed them that NRPR cannot accept donations from certain entities, as an example he mentioned the foundation worked with the National Parks Foundation for an enhancement along the Loop at the Deaf and Blind School, another project was in collaboration with the Fenton Foundation at Brandi Fenton Memorial Park. Mr. Cawein said that there is a lot of complexity involved. Commissioner Kellman said her concern was having an NRPR employee doing Parklands work by taking over the bench program. Chair Lundin said he did not see that as an issue from a legal standpoint. Mr. Padilla explained to her that NRPR has a memorial bench program. These benches cost upwards of a thousand dollars and since NRPR does not have a large budget, this is a win-win situation. NRPR administers the program but the check is made out to Parklands
Foundation who then orders the bench and pays the vendor, and NRPR installs the bench in the appropriate location. Also, since the foundation does not have to follow procurement rules, there is more consistency with using Parklands as the county changes vendors often. NRPR therefore does not have to spend money for benches being added to our urban parks or other facilities. Commissioner Gardner commented that she was glad there was consistency and that the people who knew the parks were able install the benches in the best way possible and honor the wishes of the donors. Commissioner Serna complimented Parklands Foundation for its work, especially Mr. Hellon for taking on this responsibility.

2. Action item - Frequency of meetings and election of a new Vice Chair: Chair Lundin informed the commissioners that currently meetings are held every other month, but it has been hard to establish a quorum. The meetings are mainly informational with very few action items. Chair Lundin said his preference would be to hold meetings bi-annually or quarterly. Commissioner Kovalik informed him that the by-laws stated that they were quarterly. However Chair Lundin informed her the by-laws were only a draft, but would honor that. Commissioner Serna said it should be decided by NRPR as to the need. A motion was made to establish quarterly meetings, and hold additional meetings if necessary. The next meeting is scheduled to be held on January 14, 2022. The meetings will be held in January, April, July and October, on the second Friday of the month at 9:30 am at 3500 W. River Road. Commissioner Kovalik asked whether it would be better to have meetings in the middle of the quarter, but Chair Lundin informed her that there could be extra meetings held, if needed. Mr. Cawein informed them that this would allow the commissioners to regularize their calendar and work their schedules around the dates. All were in favor.
   Commissioner Kellman was appointed as Vice Chair, the motion was made by Chair Lundin and seconded by Commissioner Serna. All commissioners were in favor except Commissioner Gardner who abstained.

3. Fee schedule revision: Mr. Cawein informed the commission that the fees were last revised in 2018. The new schedule has a few new fees. Mr. Cawein informed them that NRPR is different from other park departments in that some of them have fee revenues of up to 30% compared to NRPR which has approximately 8-9%. This is the next step to achieve a better balance between tax payer dollars and user fees. Chair Lundin asked what this would achieve percentage-wise. Mr. Padilla informed him that preliminary estimates would be about $175,000 more in revenue. Mr. Padilla informed him that NRPR’s basic budget on the expenditure side is approximately $20 million and the revenues are currently $1.1 million. Chair Lundin said that would be a pretty insignificant increase and noted that the biggest change was to the after school program from free to $50.00 a month, though it is in line with what the City charges. Mr. Padilla informed him that the City was also in the process of revising their fees. Mr. Barr informed the commission that the City was currently charging $500.00 per school year, which is about $50 for a 10-month school year. Chair Lundin asked why the County had not charged a fee previously and was informed that the County had charged a fee in the past but had canceled it due to the Arizona Childcare Licensing laws, though it is not child care but an at-will program
that most other jurisdictions have as well, so at this point NRPR is looking at reinstating the fee. Mr. Padilla informed them that NRPR wants to clean up its fee schedule, some of the fees are increases in existing fees, for example, the aquatics class increasing from $1.50 to $2.00, and some would be new fees. NRPR did not have a beer and wine permit fee, but are proposing to implement one, similar to the City of Tucson. NRPR currently has one ramada fee regardless of size, but would like to mirror the city’s charging structure which is charging a little more for a medium ramada, an extra fee on holidays and a premium fee on certain days like Mother’s Day, Father’s day, etc. The other new fees NRPR is considering are adding a new fee at Rillito Racetrack, for the track surface as there are many requests to use it for walking and running events. Another is adding fees at Agua Caliente Park which is newly renovated and has been receiving a lot of requests. Another fee is for events at the skate park on the southwest side of town. NRPR wants to implement a base youth field user fee as several leagues reserve but do not always use the fields, and NRPR wants to optimize field use. The City is facing the same problem and they also intend to charge a small fee. Commissioner Kovalik asked whether NRPR will commit to increasing fees in tandem with the City going forward. Mr. Padilla informed her that that was not addressed in the fee schedule, but said NRPR could add language to do so. Commissioner Kovalik asked about the sundry items. Mr. Padilla informed her that there was a large list of items and it would be simpler to have one catch-all item that ranges between $0.25 and $25.00, commensurate with market prices. Chair Lundin asked Mr. Padilla about the field use fees in other jurisdictions and was informed they were much higher. There were no further questions. There was a motion to approve the fee schedule for final approval by the Board. The motion was duly seconded and all were in favor.

4. Drafting of by-laws for the Pima County Parks and Recreation Advisory Commission: Chair Lundin informed the commission that in 2018, the Board of Supervisors changed the jurisdiction of the commission for it to be an advisory commission and that there were no by-laws, thus these were drafted. There were no questions or concerns about the draft by-laws. Chair Lundin made a motion to approve the by-laws and was seconded by Commissioners Kovalik and Serna. All were in favor.

5. Update on the Ajo Community Center (Khalil Bratton): Mr. Bratton, the Park Manager in Ajo, gave the commissioners an overview of the services and activities that the Ajo Community Center provides to the residents of Ajo, a small border town approximately 160 miles from Tucson with about 3,000 residents (Presentation attached).

6. Naming of Field 4 at Canoa Preserve in honor of Jim Hill: Commissioner Kellman made a motion to approve naming Field 4 at Canoa Preserve Park in honor of Jim Hill. It was seconded by Commissioner Gardner. All were in favor.

7. Renaming the Mockingbird Trail the Max Shemwell Trail: Commissioner Gardner made a motion to rename the Explorer Trail the Max Shemwell Trail. It was seconded by Commissioner Serna. Commissioner Kovalik asked why the trail name
needed to change completely and that it would be expensive to redo all the maps and signs. Commissioner Gardner told the commission that she had worked previously on projects like this and it was not an expensive proposition as most of NRPR’s trail maps are electronic. Commissioner Kovalik asked whether NRPR was setting a precedent in renaming trails. Mr. Cawein informed her that maps would have to be redone every five years or so, so it was not a big deal. All commissioners were in favor.

CALL TO THE PUBLIC:

FUTURE AGENDA ITEM(S): Update on Rillito Racing

ADJOURNMENT: As there was no further business to come before the commission, duly motioned and seconded, the meeting adjourned at 10:40 a.m.