



BOARD OF SUPERVISORS AGENDA ITEM REPORT  
AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 06/20/2023

\* = Mandatory, information must be provided

or Procurement Director Award: ☐

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

Rillito Racing, Inc.

**\*Project Title/Description:**

Non-exclusive Operation of Rillito Racetrack

**\*Purpose:**

The purpose of this amendment is to extend the contract term for one additional year and add revenue in the amount of \$89,000.

**\*Procurement Method:**

This Revenue Contract is a non-Procurement contract and not subject to Procurement rules.

**\*Program Goals/Predicted Outcomes:**

The time extension will allow horse racing to continue for one additional year.

**\*Public Benefit:**

Horse racing will continue at Rillito Racetrack as supported by various members of the public. Operator will continue to invest private dollars for necessary capital improvements to the racetrack facilities.

**\*Metrics Available to Measure Performance:**

None

**\*Retroactive:**

No

MAY 25 23 PM 04:14 PC CLK OF RD 886

To COB: 5/25/23  
Ver: 3  
Pg: 3 (1)

MAY 25 23 AM 11:22 PD

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: PR Contract Number (i.e., 15-123): 21\*0084

Amendment No.: 4 AMS Version No.: 3

Commencement Date: 07-01-2023 New Termination Date: 06-30-2024

Prior Contract No. (Synergen/CMS): 14\*537

☐ Expense ☒ Revenue ☒ Increase ☐ Decrease

Amount This Amendment: \$ 89,000.00

Is there revenue included? ☒ Yes ☐ No If Yes \$ 89,000.00

\*Funding Source(s) required: General Fund

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: Robert Padilla

Department: Natural Resources, Parks and Recreation

Telephone: 724-5235

Department Director Signature: [Signature]

Date: 23 MAY 2023

Deputy County Administrator Signature: [Signature]

Date: 5/24/2023

County Administrator Signature: [Signature]

Date: 5/24/2023

**Pima County Department of Natural Resources, Parks and Recreation**

**Project: Non-exclusive Operation of Rillito Racetrack**

**Contractor: Rillito Racing, Inc.**

**Contract No.: CTN-PR-21\*084**

**Contract Amendment No.: 04**

---

---

<b>Orig. Contract Term:</b> 07/01/2014 - 06/30/2015	<b>Orig. Amount:</b>	\$ 14,000.00
<b>Termination Date Prior Amendment:</b> 06/30/2023	<b>Prior Amendments Amount:</b>	\$ 1,012,000.00
<b>Termination Date This Amendment:</b> 06/30/2024	<b>This Amendment Amount:</b>	\$ 89,000.00
	<b>Revised Total Amount:</b>	\$ 1,115,000.00

---

---

**CONTRACT AMENDMENT**

The parties agree to amend the above-referenced contract as follows:

**1. Background and Purpose.**

1.1. Background. On July 1, 2014, County and Contractor entered into the above referenced agreement to provide non-exclusive operation of Rillito Racetrack for live horse racing.

1.2. Purpose. County and Contractor desire to extend the contract for one additional year.

**2. Term.** The parties agree to extend the contract term for one additional year commencing on July 1, 2023 and terminating on June 30, 2024.

**3. Revenue Amount.** Revenue is based on twelve (12) racing dates. If additional racing dates occur revenues remitted to Pima County will increase accordingly. In addition, Contractor will pay Pima County \$1.50 for all General/Grandstand paid admissions and \$2.00 for all Clubhouse paid admissions during race days. Generated revenue will be deposited into a Special Revenue Fund to be utilized for capital improvements to the horseracing facilities. Per the original operating agreement, Contractor is required to pay Pima County \$300,000 by October 1, 2023. If Contractor fails to make \$300,000 payment by October 1, 2023, this amendment will be terminated.

**4. Change Section 9.2.6 – Operation and Management of the Premises**  
**FROM:**

9.2.6. Provide concessions that Contractor deems appropriate during racing events, including alcoholic beverages, provide that Contractor obtains the necessary state and local licenses and maintains in effect the insurance policies required by this Agreement. So long as Commission hold the liquor license from the Arizona Department of Liquor Licenses and Control for the sale of alcoholic beverages at the Premises, Contractor shall negotiate with Commission for the use or relinquishment of the liquor license; and

TO:

Provide concessions that Contractor deems appropriate during racing events, including alcoholic beverages, provide that Contractor obtains the necessary state and local licenses and maintains in effect the insurance policies required by this Agreement. Contractor is authorized as county's alcohol concessionaire on a non-exclusive basis for county's Series 5 Government Liquor License at Rillito Park, provided that Contractor strictly adheres to all current Arizona Department of Liquor Licenses and Control rules, regulations, and laws; and

**5. Change Section 11 – Rules**

**Add: 11.4.** Operator shall relocate any type of amplified music indoors to the clubhouse during racing events. Prior coordination and approval must be obtained from the Director of Natural Resources, Parks and Recreation for any type of outdoor music (live, DJ) at least ten (10) business days prior to the event.

- 6. Forced Labor of Ethnic Uyghurs.** Pursuant to A.R.S. § 35-394, if Contractor engages in for-profit activity and has 10 or more employees, Contractor certifies it is not currently using, and agrees for the duration of this Contract to not use (1) the forced labor of ethnic Uyghurs in the People's Republic of China; (2) any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China; and (3) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China. If Contractor becomes aware during the term of the Contract that the Company is not in compliance with A.R.S. § 35-394, Contractor must notify the County within five business days and provide a written certification to County regarding compliance within one hundred eighty days.

All other provisions of the Contract not specifically changed by this Amendment remain in effect and are binding upon the parties.

**PIMA COUNTY**

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

Contract No.: CTN-PR-21\*084

Revised 8/19/22

**CONTRACTOR**

  
\_\_\_\_\_  
Authorized Officer Signature

Russell True, Chairman  
\_\_\_\_\_  
Printed Name and Title

May 22, 2023  
\_\_\_\_\_  
Date

APPROVED AS TO FORM

  
Deputy County Attorney

    rachelle Barr    

Print DCA Name

    05/12/2023    

Date

APPROVED AS TO CONTENT

  
NRPR Director

    23 MAY 2023    

Date

Contract No.: CTN-PR-21\*084{96645 / 01087758 / v2}