

**AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
November 19, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

- **Spotlight on Youth**

DEPARTMENT REPORTS

The Mayor and Council may consider and/or take action on the items listed below:

ORDER OF BUSINESS: MAYOR WILL REVIEW THE ORDER OF THE MEETING

INFORMATIONAL ITEMS

1. 2014 Arizona Town Hall Trip Report - Councilmember Hornat
2. FY 2014-2015 First Quarter Public Safety Providers Reports (July - Sept. 2014)
3. Letter of Appreciation - Oro Valley Police Department

CALL TO AUDIENCE – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda.*** Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town Staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "Call to Audience." In order to speak during "Call to Audience" please specify what you wish to discuss when completing the blue speaker card.

PRESENTATIONS

1. Presentation of Certificates to graduates of the Community Academy - Local Governance 101 class
2. Proclamation - Giving Tuesday

CONSENT AGENDA

(Consideration and/or possible action)

- A. Minutes - November 5, 2014
- B. Fiscal Year 2014/15 Financial Update through September 2014
- C. Greater Oro Valley Chamber of Commerce Quarterly Report: July 1, 2014 - September 30, 2014
- D. Visit Tucson Quarterly Report: July 1, 2014 - September 30, 2014
- E. Request for approval of conceptual public art for the Copper Health Skilled Nursing Facility located on the northwest corner of Rancho Vistoso and Sun City Boulevards

REGULAR AGENDA

- 1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ALL THE BUZZ CAFE LOCATED AT 12985 N. ORACLE ROAD, SUITE 165
- 2. AMENDING SECTION 28.6.B OF THE ORO VALLEY ZONING CODE REVISED
 - a. RESOLUTION NO. (R)14-57, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 28.6.B., RELATING TO TEMPORARY ROADWAY CONSTRUCTION SIGNS, PROVIDED AS ATTACHMENT 1, EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK'S OFFICE, A PUBLIC RECORD
 - b. PUBLIC HEARING: ORDINANCE NO. (O)14-14, AMENDING SECTION 28.6.B OF THE ORO VALLEY ZONING CODE TO ADD A NEW TEMPORARY SIGN TYPE FOR BUSINESSES LOCATED WITHIN ROAD CONSTRUCTION AREAS
- 3. AMENDING SECTION 27.10.D.3 OF THE ORO VALLEY ZONING CODE REVISED
 - a. RESOLUTION NO. (R)14-58, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.10.D.3, TANGERINE ROAD CORRIDOR OVERLAY DISTRICT, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD
 - b. PUBLIC HEARING: ORDINANCE NO. (O)14-15, AMENDING SECTION 27.10.D.3 OF THE ZONING CODE, TANGERINE ROAD CORRIDOR OVERLAY DISTRICT, TO PROVIDE THE TOWN ENGINEER THE DISCRETION TO REDUCE DRIVEWAY ACCESS SEPARATION REQUIREMENTS

FUTURE AGENDA ITEMS (The Council may bring forth general topics for future meeting agendas. Council may not discuss, deliberate or take any action on the topics presented pursuant to ARS 38-431.02H)

CALL TO AUDIENCE – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda***. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town Staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “Call to Audience.” In order to speak during “Call to Audience” please specify what you wish to discuss when completing the blue speaker card.

ADJOURNMENT

POSTED: 11/12/14 at 5:00 p.m. by mrs

When possible, a packet of agenda materials as listed above is available for public inspection at least 24 hours prior to the Council meeting in the office of the Town Clerk between the hours of 8:00 a.m. – 5:00p.m.

The Town of Oro Valley complies with the Americans with Disabilities Act (ADA). If any person with a disability needs any type of accommodation, please notify the Town Clerk's Office at least five days prior to the Council meeting at 229-4700.

INSTRUCTIONS TO SPEAKERS

Members of the public have the right to speak during any posted public hearing. However, those items not listed as a public hearing are for consideration and action by the Town Council during the course of their business meeting. Members of the public may be allowed to speak on these topics at the discretion of the Chair.

If you wish to address the Town Council on any item(s) on this agenda, please complete a speaker card located on the Agenda table at the back of the room and give it to the Town Clerk. **Please indicate on the speaker card which item number and topic you wish to speak on, or if you wish to speak during “Call to Audience”, please specify what you wish to discuss when completing the blue speaker card.**

Please step forward to the podium when the Mayor announces the item(s) on the agenda which you are interested in addressing.

1. For the record, please state your name and whether or not you are a Town resident.
2. Speak only on the issue currently being discussed by Council. Please organize your speech, you will only be allowed to address the Council once regarding the topic being discussed.
3. Please limit your comments to 3 minutes.
4. During “Call to Audience” you may address the Council on any issue you wish.
5. Any member of the public speaking must speak in a courteous and respectful manner to those present.

Thank you for your cooperation.



Town Council Regular Session

Item # 1.

Meeting Date: 11/19/2014

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

2014 Arizona Town Hall Trip Report - Councilmember Hornat

Attachments

[Hornat 2014 Arizona Town Hall Trip Report](#)



Office of the Mayor & Town Council

Trip Report

Purpose: 105th Arizona Town Hall
Date: November 2 – 5, 2014
Location: El Tovar Hotel
Grand Canyon South Rim, AZ
Attendees: Councilmember Joe Hornat

Summary:

The 105th Arizona Town Hall on Arizona's Economy addressed how to use Arizona's unique strengths to support a thriving economy for all of Arizona's diverse communities.

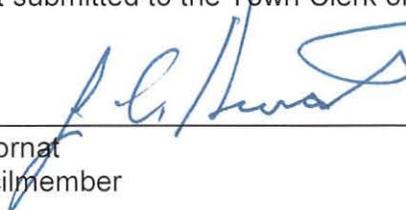
Attendees spent the bulk of their time participating in facilitated discussions designed to build consensus for future action. Highlights of the meeting included the following:

- The speaker on the topic of "How Arizona Can Capitalize on Global Economic Trends" was Dr. James A. (Jim) Crupi, President and founder of Strategic Leadership Solutions, Inc.
- A presentation made by Mary Murphy, an officer at The Pew Charitable Trusts, who serves as a principal analyst on Pew's state and local fiscal health initiatives

In addition, all participants received materials that will serve as a useful reference when they return to their communities.

The agenda and list of participants is attached.

Report submitted to the Town Clerk on November 10, 2014



Joe Hornat
Councilmember

Caring for our heritage, our community, our future.

www.orovalleyaz.gov

11000 N. La Cañada Drive • Oro Valley, Arizona 85737

phone: (520) 229-4700 • fax: (520) 297-0428



**105th ARIZONA TOWN HALL
ARIZONA'S ECONOMY
GRAND CANYON, ARIZONA
NOVEMBER 2-5, 2014**

SUNDAY, NOVEMBER 2

3:00 – 6:00 p.m.

Registration (Lobby, El Tovar Hotel)

6:00 – 7:00 p.m.

Social hour (Lobby, El Tovar Hotel)

7:00 p.m.

Opening Dinner & Orientation (Main Dining Rm., El Tovar Hotel)
Scott Rhodes, Board Chair, and **Tara Jackson**, President

MONDAY, NOVEMBER 3

7:00 a.m. – 8:00 a.m.

Buffet Breakfast (Maswik Lodge)

Key Facts You Need to Know: Panel presentation by authors of the 105th Arizona Town Hall Background Report

8:30 a.m. – Noon

Panel Discussions (all participants – various locations)

12:30 p.m. – 2:00 p.m.

Luncheon (Dining Room, El Tovar Hotel):

Luncheon Speaker, Dr. James A. (Jim) Crupi, President and founder of Strategic Leadership Solutions, Inc.

2:30 p.m. – 5:00 p.m.

Continuation of panel discussions (various locations)

6:00 p.m. – 7:00 p.m.

Social hour (Maswik Lodge)

7:00 p.m.

Dinner (Santa Fe Dining Room, Maswik Lodge):

Dinner Presentation: The Pew Charitable Trusts

TUESDAY, NOVEMBER 4

8:30 a.m. – Noon

Breakfast on your own

Continuation of panel discussions (various locations)

12:30 p.m. – 2:00 p.m.

Luncheon (Santa Fe Dining Room, Maswik Lodge):
Presentation by Arizona Town Hall Board Members

Special Entertainment by the Northern Arizona University School of Music Students

2:30 p.m. – 5:00 p.m.

Continuation of panel discussions (various locations)

6:30 p.m. – 8:00 p.m.

Wine, Cheese and Buffet Reception; special recognition of student participants

WEDNESDAY, NOVEMBER 5

6:45 – 8:15 a.m.

Individual panel caucuses (various locations)

8:30 a.m. to approx. 12:30 p.m.

Plenary Session (Santa Fe Dining Room, Maswik Lodge)

Adjournment

Town Hall Participants and Observers
105th Arizona Town Hall
"Arizona's Economy"

Grand Canyon, Arizona
November 2-5, 2014

Aakhus, Todd: Director, Community Partnership Programs, Rio Salado College, Surprise
Anderson, Noah: Student, Northern Arizona University, Flagstaff
Baele, Roger: General Manager, URS Corporation, Phoenix
Benesch, Wayne C.: Attorney; Managing Director, Byrne & Benesch, PC, Yuma - **Panel Chair**
Bentler, David J.: Economic Development Manager, Arizona Public Service, Phoenix
Bierman, Sandra L.: Director of Legal Services, Blue Cross Blue Shield of Arizona, Phoenix
Brewster, Karla K.: Professor, Northern Arizona University, Flagstaff
Brutsche, Juliana L.: Director of Development, AZ Culture, Verde Valley
Carr, Bryan: Student, Pima Community College, Tucson
Clemens, Matthew A. (Matt): Student, Northern Arizona University, Flagstaff
Cleveland, Stephen S.: City Manager, City of Buckeye
Cramer, Amy S.: Professor, Pima Community College, Tucson
Daldrup, Nina: Executive Director, The Mini Time Machine Museum of Miniatures, Tucson
Daugherty, David B. (Dave): Associate Director, Morrison Institute for Public Policy, Tempe -
Background Report Editor
Davis, Bobby G.: Economic Development Specialist, Town of Payson
Densmore, Kristen: Executive Director, The Milagro Arts Center, Prescott
Dinkle, James W. (Jim): Executive Director, Access Arizona, Casa Grande
Duncan, Dean: Senior Director, Strategic Planning, Salt River Project, Tempe
Esler, Margaret O.: Associate, Polsinelli, Phoenix - **Recorder**
Esquerra, Nathan L. (Levi): Director, Center for American Indian Economic Development, Flagstaff
Farrell, John C.: Outreach & Recruitment Coordinator, Pima Community College, Tucson
Ferreira, Bryan A.: Student, Pima Community College, Vail
Galbraith, Debra: Town Manager, Town of Payson
Garcia, Karla E.: Student, Rio Salado Community College, Phoenix
Garfield, William M. (Bill): President, Arizona Water Company, Phoenix
Gaxiola, Tannya R.: Assistant Vice President, Community Relations, University of Arizona, Tucson
Grady, Harvey: President & CEO, Cornucopia Community Advocates, Sedona
Grant, Ed: Principal Analyst, Salt River Project, Phoenix
Hansen, David (Dave): Director of Finance, Jennings, Strouss & Salmon, PLC, Phoenix
Harrington, Arthur R. (Art): President, Harrington Financial Services, Bullhead City
Harris, Jennifer E.: Real Estate Agent, Long Realty Company, Tucson
Haskell, Kurt: Director, Small Business Development Center, Yavapai College, Prescott

Hornat, Joe: Councilmember, Town of Oro Valley

Huntwork, James R. (Jim): Member, Salmon, Lewis & Weldon, Phoenix

Ireland, Rick: Business Development Manager, Arrington Watkins Architects, Phoenix

Jones, Charles E. (Bud): Former Chief Justice, Arizona Supreme Court, Phoenix

Kennedy, Ellen: Advancement Officer, Northern Arizona University, Flagstaff

Kitagawa, Kathleen A. (Kathy): Owner & Consultant, KAK Compensation Services, LLC, Tucson

Lara, Ernest (Ernie): President, Estrella Mountain Community College, Avondale

Larson, Eric M.: Director of Acquisitions, Arizona Association for Economic Development Partners, Scottsdale

Lemos, Stacey: Finance Director, Town of Oro Valley

Lomeli, Stephanie R.: Student, Ray High School, Kearny

Marcus, Eric K.: Executive Director, Sustainable Economic Development Initiative of Northern Arizona (SEDI), Flagstaff

Massey, Roric: City Attorney, City of Goodyear

Matthews, Jayson S.: Director of Ending Hunger, Valley of the Sun United Way, Phoenix

Mayon, Marli J.: Student, Scottsdale Community College, Scottsdale

McDermott, Patrick A.: Community Affairs Manager, Arizona Public Service, Phoenix

McLeod, Tammy: Vice President, Energy Resource Management, Arizona Public Service, Phoenix

Meaker, Matthew B. (Matt): Attorney, Sacks Tierney PA, Scottsdale

Mehta, Jamsheed: Deputy Town Manager, Town of Marana

Mellon, Shelley: President, R. L. Jones Insurance, Yuma

Minnaugh, Michael J.: Attorney, Ridenour, Hinton & Lewis, Phoenix - **Recorder**

Miraben, George W.: Consultant, Miraben Consulting; Ret. Senior Vice President & CAO, Illinova Corp.; Former Chair, Arizona Town Hall, Tucson - **Panel Chair**

Montagne, Sarah (Sally): District Governor, Arizona Rotary District 5500, Oro Valley

Moore, Hunter: Director of Government Relations, Navajo County, Holbrook

Moreno, Alec R.: Student, Pima Community College, Tucson

Morrison, Richard N.: Manager, EIM Enterprises, LLC, Gilbert

Murphy, James J. (Jim): Ret. President & CEO, Pima Council on Aging, Tucson

Nelson, Aika T.: Student, Glendale Community College, Glendale

Norris, Patricia K. (Pat): Judge, Arizona Court of Appeals, Phoenix - **Panel Chair**

Nunez, Celeste: Student, Pima Community College, Tucson

Ocampo, Katheline M. (Kathy): Interim Associate Dean, Parker Learning Center, Parker

Olivas, Alberto: Director, Center for Civic Participation, Maricopa Community Colleges, Tempe

Parkinson, Callie N.: Associate, Kercksmar & Feltus PLLC, Scottsdale - **Recorder**

Pastrick, Julie: CEO, Greater Flagstaff Chamber of Commerce, Flagstaff

Payne, Christopher W. (Chris): Attorney, Snell & Wilmer LLP, Phoenix - **Recorder**

Peel, Michael T.: Government Relations Advanced Analyst, Pima Community College, Tucson

Petrequin, Paul: Residential Faculty, History, Maricopa County Community College District.

Potts, Clifford (Cliff): Designated Broker, Prudential Arizona Realty, Payson

Raible, Jeffrey J. (Jeff): Councilmember-elect, City of Litchfield Park; Project Manager, American Express, Litchfield Park

Ramos, Nancy M.: Student, Northern Arizona University, Flagstaff

Regner, William J. (Bill): Councilmember, Town of Clarkdale

Rhodes, J. Scott: Managing Attorney, Jennings, Strouss & Salmon, PLC, Phoenix

Roberts, Kevin: Principal, Dibble Engineering, Phoenix

Rooney, James C. (Casey): Director, Economic Development, City of Cottonwood/Verde Valley

Russo, Jason Z. M.: Student, Paradise Valley Community College, Phoenix

Schatz, Michelle R.: Student, Northern Arizona University, Flagstaff

Skoog, Harvey C.: Mayor, Prescott Valley

Sloan, Danielle: Student, Northern Arizona University, Flagstaff

Snyder, Nicole K.: Director, Marketing & Business Development, DWL Architects & Planners, Inc., Phoenix

Sosa, Gilberto: Student, Phoenix College, Phoenix

Sreecharana, Devin: Attorney, May, Potenza, Baran & Gillespie, PC, Phoenix

Stigmon, John E.: Vice President, Economic Collaborative of Northern Arizona, Flagstaff

Talbot, Angela: Vice President, Business Development, Greater Phoenix Economic Council, Phoenix

Taylor, Karrin K.: Attorney; Executive Vice President, Entitlements, DMB Associates, Inc., Scottsdale

Timmer, Rebecca: Corporate Relations, Dibble Engineering, Phoenix - **Panel Chair**

Townsend, Michael (Mike): Deputy Director, Coconino County, Flagstaff

Tucker, William J. (Bill): General Manager, Commercial Real Estate, Yavapai-Prescott Indian Tribe, Prescott

Underwood, Richard: Vice President, Underwood Bros., Inc. d.b.a. AAA Landscape & Arid Solutions, Tucson

Urquidez, Francisco J. Jr.: Student, Pima Community College, Tucson

VanHook, T.: CEO, Habitat for Humanity Tucson, Tucson

Vescovi-Chiordi, Heath S.: Management Assistant, Town of Marana

Walker, Gregory A. (Greg): Vice President, Multimodal Planning, Huitt-Zollars, Phoenix

Walker, Julie M.: Transportation Planner, Maricopa Association of Governments, Phoenix

Warner, Dylan T.: Student, Estrella Mountain Community College, El Mirage

Washington, Janice: State Director, Arizona Small Business Development Center Network, Tempe

West, Claire: Principal, Claire West Consulting, Phoenix

Wilkins, Kevin: Economic Development Administrator, City of Yuma

Wilson, Donald L. (D.L.): Supervisor, District 1, La Paz County, Parker

Winzer, Kimulet (Kim): Compliance Officer, UnitedHealth Care Community Plan, Phoenix

Wright, Alexandria: Director, Regional Economic Development Center, Yavapai College, Prescott

OBSERVERS

Blume, Kerry: Consultant, Flagstaff

Brierley, Paul: Executive Director, Yuma Center of Excellence for Desert Agriculture, Yuma

Dale, Richard (Dick): Physician (General & Vascular Surgery), San Rafael Medical Center, Tucson

Elliott-Nelson, Linda J.: Dean of Instruction, Arizona Western College, Yuma

Fransway, Heidi: President, Phoenix Speakers Bureau, Scottsdale

Haake, Kathy: Ret. Manager, Human Resources, Salt River Project, Phoenix

Harris, Charlotte A.: Community Volunteer, Tucson

Payne, Toby: President, Technically Integrated, Inc., Cave Creek

Summers, Didi: Board Member, Hilton Head Institute, Hilton Head



Town Council Regular Session

Item # 2.

Meeting Date: 11/19/2014

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

FY 2014-2015 First Quarter Public Safety Providers Reports (July - Sept. 2014)

Attachments

FY 2014-2015 First Quarter Public Safety Providers Reports (July - Sept. 2014)

FY 2014-2015 First Quarter Public Safety Providers Reports (July - Sept. 2014)

FY 2014-2015 First Quarter Public Safety Providers Reports (July - Sept. 2014)

ORO VALLEY POLICE DEPARTMENT POLICE ACTIVITY SUMMARY

2014	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Total Calls	12878	1423	1325	1402	1410	1432	1324	1491	1595	1476			
Commercial Veh Enforcement	166	14	18	23	7	16	19	11	32	26			
Residential Burglaries	29	1	2	0	4	4	5	3	5	5			
Non-Residential Burglaries	10	0	2	0	2	2	1	2	1	0			
All Burglary Attempts	12	2	1	3	1	2	0	0	1	2			
Thefts	429	53	31	40	42	38	44	35	56	90			
Vehicle Thefts	14	2	3	3	0	0	1	0	3	2			
Recovered Stolen Vehicles	3	1	0	0	1	0	0	1	0	0			
Attempted Vehicle Thefts	0	0	0	0	0	0	0	0	0	0			
DUI	138	13	16	24	14	16	12	13	17	13			
Liquor Laws	27	3	6	4	1	1	1	3	6	2			
Drug Offenses	109	13	17	9	18	18	5	8	10	11			
Homicides	0	0	0	0	0	0	0	0	0	0			
Robbery	2	0	0	1	0	0	0	0	1	0			
Assault	82	5	8	7	12	10	8	10	12	10			
Total Arrests	1240	128	169	143	146	139	147	100	146	122			
Assigned Cases	610	66	64	59	48	63	64	63	63	120			
Alarms (Residential)	614	55	49	64	65	73	79	91	84	54			
Alarms (Business)	350	33	21	29	42	44	51	40	50	40			
K9 Searches	366	22	25	21	52	60	20	19	24	123			
First Aid Calls	1988	217	204	233	243	247	193	242	219	190			
Fatal Accidents**	2	0	0	0	0	0	1	1	0	0			
Accidents**	410	49	50	50	50	48	41	29	43	50			
Citations (Traffic)*	3044	438	367	332	394	369	250	405	489	**			
Written Warnings/Repair Orders*	3966	508	732	396	464	625	254	252	735	**			
Public Assists***	645	78	81	66	78	77	52	49	93	71			
Reserve Man Hours	167	26	**	**	36	27	55	9	0	14			
Business Checks***	4275	577	425	363	444	658	416	563	497	332			
Drug Task Force Arrest	26	3	0	1	11	3	1	0	2	5			
CVAP Dark House Cks	12428	574	586	431	580	1748	1822	2122	2514	2051			
CVAP Public Assists	509	52	28	45	67	58	36	52	88	83			
CVAP Total Hours	11194.5	1306.5	1238	1323.5	1236.5	1146	1069	1071	1500.5	1303.5			

* Traffic data delayed 30 days due to data entry backlog; including the category "Written Warnings/Repair Orders".

** DUI Accidents are included in Fatal Accident and Accident totals.

***"Public Assists" numbers are separated from CVAP Public Assist numbers.

Disclaimer: Numbers may show slight fluctuations when compared to previously published reports because of changes in the case data within the system due to normal adjustments. The more recent case counts are the most likely to fluctuate. Although this data may change slightly, it is as accurate as it can be for the data collected during this time period.

	Third Quarter 2014		
	Jul-Sep 2012	Jul-Sep 2013	Jul-Sep 2014
Total Calls	4192	4216	4562
Commercial Veh Enforcement	88	26	69
Residential Burglaries	15	17	13
Non-Residential Burglaries	4	5	3
All Burglary Attempts	6	3	3
Thefts	125	151	181
Vehicle Thefts	4	9	5
Recovered Stolen Vehicles	3	2	1
Attempted Vehicle Thefts	0	3	0
DUI Arrests	61	33	43
Liquor Laws	5	6	11
Drug Offenses	30	24	29
Homicides	0	0	0
Robbery	0	1	1
Assault	27	43	32
Total Arrests	437	383	368
Assigned Cases	193	225	246
Alarms (Residential)	225	232	229
Alarms (Business)	127	138	130
K9 Searches	79	60	166
First Aid Calls	680	635	651
Fatal Accidents*	1	0	1
Accidents*	122	103	122
Citations (Traffic)**	1360	1273	**
Written Warnings/Repair Orders**	957	1707	**
Public Assists***	202	278	213
Reserve Man Hours	226	36	23
Business Checks***	1829	2181	1392
Drug Task Force Arrest	10	7	7
CVAP Dark House Cks	4554	4762	6687
CVAP Public Assists	197	188	223
CVAP Total Hours	3278.5	3202.5	3875

**Fatal Accidents" & "Accidents" categories now include DUI-related fatal accidents & accidents. Numbers subject to fluctuate slightly due to reclassification.

**Written Warnings/Repair Orders" category now replaces "Warnings" and "Repair Orders" categories. Previous year totals updated to reflect the change. Traffic data delayed for data entry backlog.

***Business checks" now a separate category from "Dark House Checks". Public Assist totals no longer include CVAP numbers.

ORO VALLEY POLICE DEPARTMENT MONTHLY BREAKDOWN OF CITATIONS BY VIOLATION

Citations 2014	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
TOWN CODE	176	28	24	15	21	27	32	22	7				
TITLE 28 VIOLATIONS													
SIZE, WEIGHT, LOAD	5	0	0	0	1	0	3	0	1				
INSURANCE VIOLATION	713	102	79	71	78	76	52	104	151				
REGISTRATION VIOLATION	305	39	40	46	23	34	31	39	53				
DRIVERS LICENSE VIOLATION	281	36	42	26	34	40	30	29	44				
DUI ARRESTS	125	13	16	24	14	16	12	17	13				
RECKLESS/AGGRESSIVE DRIVING	10	0	1	0	0	2	4	1	2				
SPEEDING	1014	156	123	90	157	120	61	162	145				
LANE VIOLATIONS	129	20	10	20	17	21	16	11	14				
RED LIGHT	75	14	9	6	13	4	11	9	9				
STOP SIGN	32	5	0	5	8	6	1	2	5				
FAILURE TO YIELD	57	9	9	7	6	13	5	3	5				
SEATBELT VIOLATION	62	6	9	6	6	3	6	7	19				
CHILD RESTRAINT	5	0	1	0	0	0	0	0	4				
EQUIPMENT VIOLATIONS	49	5	3	9	3	11	3	5	10				
PARKING	7	0	0	1	2	2	1	0	1				
LITTERING	5	1	0	1	0	1	1	1	0				
OTHER CITATIONS	170	32	25	20	32	20	13	15	13				
Total Citations	3044	438	367	332	394	369	250	405	489	0	0	0	0

Based on further investigation and updating of information, actual classifications may change resulting in small variances in counts.

**DUIs are arrest counts, not citations counts*

ORO VALLEY POLICE DEPARTMENT July through September 2014

Priority 1		# of calls	%
Total Response Time			
Goal: Total Response <5 minutes 90% of the time			
< 5 minutes	49	83%	
> 5 minutes	10	17%	
Total Calls	59		

Average Overall Response Time 3:32

Priority 2		# of calls	%
Total Response Time			
Goal: Total Response <8 minutes 90% of the time			
< 8 minutes	167	88%	
> 8 minutes	22	12%	
Total Calls	189		

Average Overall Response Time 5:00

Priority 3		# of calls	%
Total Response Time			
Goal: Total Response <15 minutes 90% of the time			
< 15 minutes	971	95%	
> 15 minutes	47	5%	
Total Calls	1018		

Average Overall Response Time 7:32

Priority 4		# of calls	%
Total Response Time			
Goal: Total Response <30 minutes 90% of the time			
< 30 minutes	2362	99%	
> 30 minutes	35	1%	
Total Calls	2397		

Average Overall Response Time 7:55

Golder Ranch Fire District - Oro Valley Call Summary

1st Quarter FY 2014-2015 (July – September 2014)

Sun City Station 374	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	211	67%
Dispatch to At Scene <6:00 minutes -FIRE	0	
Average Dispatch to At Scene Time	4:54	

Woodburne Station 375	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	364	69%
Dispatch to At Scene <6:00 minutes -FIRE	3	100%
Average Dispatch to At Scene Time	4:52	

Lambert Station 376	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	110	55%
Dispatch to At Scene <6:00 minutes -FIRE	2	0%
Average Dispatch to At Scene Time	5:00	

Oracle Rd. Station 377	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	182	76%
Dispatch to At Scene <6:00 minutes -FIRE	1	100%
Average Dispatch to At Scene Time	4:47	

Average Total All Oro Valley Stations	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	867	67%
Dispatch to At Scene <6:00 minutes -FIRE	6	66%
Average Dispatch to At Scene Time	4:53	

Average Total All Oro Valley Stations -2nd Fire Unit	# of calls	%
2 nd Fire Unit Dispatch to At Scene <8:00 minutes -FIRE	4	75%
Average Dispatch to At Scene Time for 2nd Fire Unit	6:53	

Golder Ranch - Oro Valley Call Load Breakdown

First Quarter FY 2014-2015 (July - September 2014)

Final Type Reference

CALL TYPE	Sun City	Woodburne	Lambert	Oracle	TOTAL
Aircraft					
Brush / Vegetation			2		2
Building					
Electrical / Motor		1		1	2
Fires - All Other		4	1	2	7
Gas Leak	1		2	1	4
Hazmat				4	4
Trash / Rubish				1	1
Unauthorized Burning			1		1
Vehicle			3	1	4
Total Fire Calls	1	5	9	10	25
Animal Problem					
Animal Rescue		1			1
Assist -Other	18	44	10	23	95
Battery Change	5	4	10	5	24
Bee Swarm		1		1	2
Defective Appliance			1		1
Invalid Assist	45	19	22	26	112
Snake	116	174	88	132	510
Lockout			1		1
Fire Now Out					
Total Service Calls	184	243	132	187	746
Alarms (Fire, Smoke, CO)	11	20	9	15	55
Cancelled / Negative Incident	13	19	4	18	54
Smoke / Odor Investigation	3	3		4	10
Total Good Intent Calls	27	42	13	37	119
Motor Vehicle Accident	3	9	5	13	30
Rescue (high, trench, water)		5	1	2	8
All Other EMS Incidents	208	350	104	167	829
Total EMS Type Calls	211	364	110	182	867
TOTAL ALL CALLS	423	654	264	416	1757

Golder Ranch Fire District – Oro Valley
Detailed Fire Response Report
First Quarter FY 2014-2015
(July - September 2014)

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/3/14	14322	BUILD	01:11:23	EN376	01:13:35	01:19:19	7:56
St.376				LT375	01:12:37	01:20:13	8:50
Report of an odor of smoke and alarms sounding from large building on Como Rd. EN376 investigating to discover food on stove. NEGATIVE INCIDENT							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
7/4/14	14473	APTS	10:45:30	EN376	10:46:43	10:51:12	5:42
St.377				EN377	10:47:12	10:51:22	5:52
Child called 911 to report a fire in an apartment with no parents home. Food was found burnt on the stove, all other units can cancel. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
7/17/14	15658	BUILD	11:45:10	EN377	11:46:07	11:49:16	4:06
St.375				EN376		11:50:54	5:44
Reported as smoke coming out of HVAC unit –smells as if something is burning. Incident isolated to a faulty HVAC unit, no other fire problem. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/26/14	19183	HOUSE	18:07:34	LT375	18:08:09	18:12:52	5:18
St.375				EN376	18:08:45	18:15:04	7:30
Caller smells something burning and sees smoke and flames coming from the side of a house. Crews found that an outside electrical outlet had shorted and caught fire, but did not extend into the structure. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/27/14	19255	HOUSE	14:46:48	LT375	14:47:20	14:52:03	5:15
St.375							
Calling party reported that they were baking with the oven and it began to produce flames and smoke. LT375 upon arrival found nothing showing and to shut down responding units. Burnt food in oven. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/30/14	19518	APTS	10:12:44	EN377	10:13:19	10:20:06	7:22
St.376							
Caller reports that the top of their stove is on fire in their apartment. BC377 arrived first on scene to report the fire is now out and to continue only one engine into scene. Defective appliance. NEGATIVE INCIDENT.							

Golder Ranch Fire District - First Quarter FY 2014-2015 (July - Sept. 2014) - Oro Valley Report Summary

All GRFD Oro Valley Stations		Time	#of Calls	Adopted Standard %	Actual %	Description of Variance
Dispatch to At Scene - FIRE		< 6:00	6	90%	66%	
Time to achieve Adopted Standard of 90%		7:56				
Average Dispatch to At Scene Time		5:53				

Dispatch to At Scene - EMS		< 5:00	867	90%	67%	Gated community
Time to achieve Adopted Standard of 90%		7:05				Steep narrow roads
						Must navigate many residential streets
						Far end of first due
						Gate did not open with Opticom
						Winding side streets
						Dirt road conditions
Average Dispatch to At Scene Time		4:53				

2nd Fire Unit Dispatch to At Scene		< 8:00	4	90%	75%	
Time to achieve Adopted Standard of 90%		8:50				
Average Dispatch to At Scene Time		6:53				

SWA - Oro Valley Transport Units	Time	#of Calls	Adopted %	Actual %	Description of Variance
Dispatch to At Scene - ALS Transport Unit	< 8:00	350	90%	94%	Calls are in compliance
Time to achieve Adopted Standard of 90%	Achieved				
Average Dispatch to At Scene Time	7:34				

Mountain Vista Fire District - Oro Valley

Call Summary

1st Quarter FY 2014-2015 (July – Sept. 2014)

Station 610 (Magee Rd.)	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	45	62%
Dispatch to At Scene <6:00 minutes -FIRE	15	80%
Average Dispatch to At Scene Time	4:51	

Station 620 (Shannon Rd.)	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	0	0%
Dispatch to At Scene <6:00 minutes -FIRE	2	0%
Average Dispatch to At Scene Time	10:21	

Average Total All Oro Valley Stations	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	45	62%
Dispatch to At Scene <6:00 minutes -FIRE	17	71%
Average Dispatch to At Scene Time	5:02	

Average Total All Oro Valley Stations -2nd Fire Unit	# of calls	%
2 nd Fire Unit Dispatch to At Scene <8:00 minutes -FIRE	2	50%
Average Dispatch to At Scene Time for 2nd Fire Unit	8:04	

Mountain Vista Fire District - Oro Valley Call Load Breakdown

First Quarter FY 2014-2015 (July - September 2014)
Final Type Reference

CALL TYPE	MVFD
Aircraft	
Brush / Vegetation	2
Building	
Electrical / Motor	
Fires - All Other	1
Gas Leak	1
Hazmat	
Trash / Rubish	
Unauthorized Burning	
Vehicle	5
Total Fire Calls	9
Animal Problem	
Animal Rescue	
Assist -Other	
Battery Change	
Bee Swarm	
Defective Appliance	
Invalid Assist	5
Snake	27
Lockout	2
Fire Now Out	
Total Service Calls	34
Alarms (Fire, Smoke, CO)	6
Cancelled / Negative Incident	1
Smoke / Odor Investigation	2
Total Good Intent Calls	9
Motor Vehicle Accident	
Rescue (high, trench, water)	3
All Other EMS Incidents	79
Total EMS Type Calls	82
TOTAL ALL CALLS	134

**Mountain Vista Fire District – Oro Valley
Detailed Fire Response Report
First Quarter FY 2014-2015 (July - September 2014)**

	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/9/2014	N141900056	FUNK	14:21:46	EN610	14:22:59	14:27:15	0:05:29
St. 610							
<p>U/A FOUND LIGHT SMOKE COMING FROM A RESIDENCE ON GLENHURST DR. UPON TRACKING DOWN THE SOURCE OF THE FIRE, FOUND THAT HOMEOWNER WAS BURING SOME LANDSCAPING THAT HE HAD IN A PILE ABOUT 50 FEET FROM HIS HOUSE. BRUSH FIRE WAS ABOUT 7 BY 7 OWNER HAD A VAILD BURN PERMIT FROM THE TOWN OF ORO VALLEY . NEGATIVE INCIDENT.</p>							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/13/2014	N141940061	ALM	17:42:09	EN610	17:43:47	17:47:43	0:05:34
St. 610							
<p>U/A FOUND MULTI-BUILDING EDUCATIONAL COMPLEX WITH NOTHING SHOWING. BUILDING CLEARED, NO SIGNS OF SMOKE OR FLAME. RP MADE CONTACT WITH ELECTRICIAN WHO INSTALLED THE SYSTEM, HE STATED IT WAS A WIRING ISSUE AND HE WAS AWARE OF IT. ELECTRICIAN INFO PROVIDED TO THE ALARM ROOM AT THEIR REQUEST. E610 UNABLE TO COMPLETELY SILENCE THE ALARM, IT KEPT SOUNDING AFTER BEING RESET. NO SIGN OF FIRE PROBLEM LOCATED IN ENTIRE COMPLEX. NEGATIVE INCIDENT.</p>							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/14/2014	N141950018	ALM	9:09:41	EN610	9:10:25	9:13:53	0:04:12
St. 610							
<p>E610 RESPONDED CODE 3 FOR FIRE ALARM SOUNDING. U/A NEG FIRE PROBLEM. MAINTENANCE CREW WAS WORKING ON THE HOOD SYSTEM IN THE KITCHEN. NEGATIVE INCIDENT.</p>							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/28/2014	N142090067	CAR	15:10:31	EN610	15:11:54	15:13:58	0:03:27
St. 610							
<p>DISPATCHED TO CAR FIRE. U/A, OVPD HAD EXTINGUISHED WITH FIRE EXTINGUSIHER, NO INJURIES. WORKING INCIDENT.</p>							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/28/2014	N142090074	ALM	16:19:23	EN610	16:20:51	16:25:11	0:05:48
St. 610							
FIRE ALARM SOUNDING, NO FIRE SHOWING, HOWEVER ALARM STILL ACTIVE. ALARM COMPANY NOTIFIED THAT EVENT WAS A FALSE ALARM. NEGATIVE INCIDENT.							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/5/2014	N142170027	CAR	8:00:28	EN620	8:01:29	8:09:56	0:09:28
St. 620							
U/A, CAR SMOKING IN THE PARKING LOT, CAR IS PARKED IN THE PARKING LOT ON THE EAST SIDE OF THE COMPLEX. OWNER CONTACTED BY ENGINE 620 WHOM ADVISED THAT THERE WAS NO FIRE; CAR JUST BURNS OIL WHEN RUNNING. NEGATIVE INCIDENT							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/10/2014	N142220058	BLDG	16:48:16	EN610	16:48:45	16:51:49	0:03:33
St. 610							
"FAMOUS SAMS" RESTURANT. DISPATCHED TO SMOKE IN THE BUILDING AND THEY WERE ADVISED TO EVACUATE. U/A, SMOKE IS COMING FROM CEILING AND VENTS; SMELLS LIKE EELECTRICAL FIRE. NO FIRE FOUND UPON INVESTIGATION, SOURCE OF SMOKE WAS FOUND TO BE THE AC UNIT ON ROOF, UNIT SHUT DOWN, NO FURTHER ISSUES. WORKING INCIDENT.							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/11/2014	N142230067	APTS	19:01:45	EN610	19:03:04	19:06:33	0:04:48
St. 610							
FIRE IN OVEN FROM PLASTIC CUTTING BOARD LEFT INSIDE OVEN. CALLING PARTY HAD TURNED OFF OVEN WITH FIRE IS STILL GOING. FIRE OUT ON ENGINE 610 ARRIVAL, CONTAINED TO OVEN. NEGATIVE INCIDENT.							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/14/2014	N142260011	ALM	10:07:58	EN610	10:08:54	10:12:06	0:04:08
St. 610							
DENTAL OFFICE ALARM IS GOING OFF, CALLER DOES NOT SEE NOR SMELLS ANYTHING- THINKS IT WAS HIT ACCIDENTALLY WHILE CLEANING . NEGATIVE INCIDENT.							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/20/2014	N142320031	ODOR	9:51:04	LD610	9:51:50	9:56:44	0:05:40
St. 610							

REPORT OF ODOR OF GAS IN BUILDING. LADDER 610 PERSONNEL ASSESSED THE RESTROOMS AND NOTICED A NOXIOUS ODOR BELIEVED TO BE SEWAGE GAS. PERSONNEL ALSO ASSESSED THE OFFICES IN THE BUILDING AND FOUND NO ODOR IN ANY OF THE OCCUPANCIES. NEGATIVE NATURAL GAS SERVICE TO THE BUILDING. THE RESTROOM DOORS WERE PROPPED OPEN AND THE SMELL BEGAN TO DISSIPATE. **NEGATIVE INCIDENT.**

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/21/2014	N142330060	CAR	13:56:30	LD610	13:57:44	14:01:20	0:04:50
St. 610							

DISPATCHED TO SPROUTS PARKING LOT FOR PICKUP ON FIRE IN PARKING LOT. CALLER ON SCENE PUT FIRE OUT WITH EXTINGUISHER, FIRE OUT ON ARRIVAL. SCENE TURNED OVER TO OVPD. **NEGATIVE INCIDENT.**

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/27/2014	N142390018	CAR	8:09:51	LD610	8:11:53	8:15:09	0:05:18
St. 610							

MVA-CAR CAUGHT ON FIRE. OVPD ADVISED THAT THIS IS A HYBRID VEHICLE INVOLVED IN A MINOR CRASH WHICH TURNED INTO A VEHICLE FIRE. **WORKING INCIDENT.**

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
9/15/2014	N142580028	FUNK	8:24:55	EN610	8:26:11	8:31:06	0:06:11
St. 610							

SMOKE IN THE AREA. OVPD ON SCENE WITH HOMEOWNER AND ADVISES NOT SURE WHAT IS BURNING. FOUND TO BE AN ILLEGAL BURN, CONTACT WITH HOMEOWNER WAS MADE AND ENGINE 620 FOUND THE FIRE TO BE OUT. **NEGATIVE INCIDENT.**

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
9/25/2014	N142680067	ODOR	18:46:38	EN610	18:48:45	18:55:11	0:08:33
St. 610							

REPORTED SMELL OF GAS IN BACK YARD. E610 SEARCHED THE AREA AND RESIDENCE WITH NO HAZARDOUS ODORS OR INDICATIONS OF HAZARDS LOCATED. ALSO, NO SMELL OF NATURAL GAS NOTICED. E610 CONTACTED SOUTHWEST GAS. E610 INVESTIGATED APPLIANCES, NO ISSUES FOUND. **NEGATIVE INCIDENT.**

Mountain Vista Fire District - First Quarter FY 2014-2015 (July - Sept. 2014) - Oro Valley Report Summary

All MVFD Oro Valley Stations		Time	#of Calls	Adopted Standard %	Actual %	Description of Variance
Dispatch to At Scene - FIRE		< 6:00	17	90%	71%	
Time to achieve Adopted Standard of 90%						
Average Dispatch to At Scene Time		5:37				

Dispatch to At Scene - EMS		< 5:00	45	90%	62%	
Time to achieve Adopted Standard of 90%						
Average Dispatch to At Scene Time		4:49				

2nd Fire Unit Dispatch to At Scene		< 8:00	2	90%	50%	
Time to achieve Adopted Standard of 90%						
Average Dispatch to At Scene Time		8:04				



Town Council Regular Session

Item # 3.

Meeting Date: 11/19/2014

Submitted By: Catherine Hendrix, Police Department

Information

Subject

Letter of Appreciation - Oro Valley Police Department

Attachments

[Appreciation Letter 102814](#)



ATTORNEYS AT LAW
A PROFESSIONAL ASSOCIATION

October 28, 2014

Daniel G. Sharp, Chief of Police
Oro Valley Police Department
11000 N. La Canada Dr.
Oro Valley, AZ 85737

Dear Chief Sharp:

For the last 25 years we have been "snowbirds" spending a fair amount of time in Tucson. Our present residence is at 909 West Linda Vista.

We are delighted that you make available the "Dark House" program.

Enclosed I am returning the "Citizen Survey".

I do want you to know that we have met your officers on several occasions and never imagined that a police force could be so professional, pleasant, helpful and accommodating.

In my opinion the skill and professionalism of your officers is on the top of the list of attributes that make Oro Valley such a pleasant community.

With much appreciation,

James and Mary Schwebel
Direct Dial Number: (612) 344-0306
jschwebel@schwebel.com
JRS/k
Enclosure

James R. Schwebel † * § ♦ #
John C. Goetz † * §
William R. Sieben † § ♦ #
Richard L. Tousignant † * §
Peter W. Riley † * §
William A. Crandall † *
Paul E. Godlewski † * §

James S. Ballentine ‡
Cole J. Dixon
Mark H. Gruesner † *
Max H. Hacker
Courtney A. Lawrence
Robert L. Lazear
Richard J. Nygaard § ♦
Robert J. Schmitz ‡
Alicia N. Sieben
Larry E. Stern * ¶
James G. Weinmeyer § *

† American Board of Trial Advocates

* Certified by the National Board of Trial Advocacy as a Civil Trial Specialist

§ The Best Lawyers in America Woodward White, Inc.

♦ American College of Trial Lawyers

International Society of Barristers

‡ Also licensed in WI

¶ Also licensed in ND

Received by

OCT 28 2014

Oro Valley Police Dept.



Town Council Regular Session

Item # **1.**

Meeting Date: 11/19/2014

Presentation of Certificates to graduates of the Community Academy - Local Governance 101 class

Information

Subject

Presentation of Certificates to graduates of the Community Academy - Local Governance 101 class

Summary

The Town of Oro Valley is pleased to recognize the graduates of the Town's Community Academy-Local Governance 101 class.

The classes covered a variety of topics, including:

- Oro Valley in 2014 and Beyond
- Your Voice, Our Future
- Town Finances
- Environmental Stewardship and Conservation
- Elements of a Complete Community
- Town Development
- Public Safety

The Community Academy provides an opportunity to learn more about the Town and serves to inform, educate, and engage residents to be active participants in building and sustaining their community. This session included a number of topics related to the Your Voice, Our Future project and class members included Your Voice Committee members, Board and Commission members, and Town residents. The 18 members of the graduating class are listed below:

Bill Adler
Jennifer Bott
Diane Bristow
Don Bristow
Teresa Fitzgerald
Tom Gribb
Gene Klett
Greg Klett
Doug McKee
Cathy Robson
Jon Robson
Ann Spahn
Karen Stratman
Casey Streubek
Beverly Van Horn
Fred Wayand
Joseph Winfield
Stan Winetroe

Community Academy classes specialized for each Board and Commission are scheduled to begin in the Spring.



Town Council Regular Session

Item # 2.

Meeting Date: 11/19/2014
Proclamation - Giving Tuesday

Information

Subject
Proclamation - Giving Tuesday

Summary

Attachments

Proclamation

Office of the Mayor
Oro Valley, Arizona
Proclamation

**GIVING TUESDAY
DECEMBER 2, 2014**

WHEREAS, Giving Tuesday was established as a national day of giving on the Tuesday following Thanksgiving; and

WHEREAS, Giving Tuesday is a celebration of philanthropy and volunteerism where people give whatever they are able to give; and

WHEREAS, Giving Tuesday is a day where citizens work together to share commitments, rally for favorite causes, build a stronger community, and think about other people; and

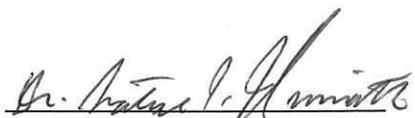
WHEREAS, it is fitting and proper on Giving Tuesday and on every day to recognize the tremendous impact of philanthropy, volunteerism, and community service in the Town of Oro Valley; and

WHEREAS, Giving Tuesday is an opportunity to encourage citizens to serve others throughout this holiday season and during other times of the year.

NOW, THEREFORE, I, Dr. Satish I. Hiremath, Mayor of the Town of Oro Valley, hereby proclaim December 2, 2014 as **Giving Tuesday** in the Town of Oro Valley and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

Dated this 19th day of November, 2014

ATTEST:


Dr. Satish I. Hiremath, Mayor




Julie K. Bower, Town Clerk



Town Council Regular Session

Item # A.

Meeting Date: 11/19/2014

Requested by: Julie Bower **Submitted By:** Mike Standish, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - November 5, 2014

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

N/A

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve, approve with the following changes) the November 5, 2014 minutes.

Attachments

11/5/14 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
November 5, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

ABSENT:

Bill Garner, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

SWEARING IN OF NEWLY ELECTED MAYOR AND COUNCILMEMBERS

Town Clerk Julie Bower swore in Councilmember Hornat, Councilmember Mary Snider, Vice Mayor Lou Waters and Mayor Hiremath to four-year terms effective November 5, 2014 through November 7, 2018.

Mayor Hiremath recessed the meeting at 6:06 p.m.

Mayor Hiremath reconvened the meeting at 6:12 p.m.

COUNCIL REPORTS

Councilmember Hornat referenced a letter that he received from a third-grader at Painted Sky Elementary.

Councilmember Snider reported that Councilmember Hornat and she attended the Safe Treats event on Halloween.

Councilmember Zinkin announced that the Ironwood Ridge High school football team would be competing in the State Championship game.

Mayor Hiremath recognized Police Chief Danny Sharp for receiving the 2014 J. Stannard Baker Award from the International Association of Chiefs of Police & the National Highway Traffic Safety Administration and the Northwestern University's Center for Public Safety.

Mayor Hiremath gave an overview of the public meeting process.

Vice Mayor Lou Waters said on Tuesday, November 11th, an event entitled "Dare to be 100" would be held in the Oro Valley Council Chambers at which Dr. Walter Bortz II would be interviewed on the subject of aging in America.

UPCOMING MEETING ANNOUNCEMENTS

Economic Development Manager Amanda Jacobs announced the upcoming town meetings and events.

DEPARTMENT REPORTS

Town Clerk Julie Bower announced that new artwork was on display in the Council Chambers by artist Carolann Small.

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

CALL TO AUDIENCE

Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and Oro Valley resident, spoke about the La Posada retirement community located at Park Center in Green Valley and encouraged Council and staff to visit the retirement community.

PRESENTATIONS

1. Introduction of Youth Advisory Council Members

Assistant to the Town Manager Chris Cornelison introduced the following members of the Youth Advisory Council:

Charles Huang, President, Basis Oro Valley
Vanessa Van Scyoc, Vice President, Ironwood Ridge High School
ShoYoung Shin, Secretary, Basis Oro Valley
Sophia Silva, Treasurer, Basis Oro Valley

Tessa Nardozza, Historian, Basis Oro Valley
Samantha DiPalma, Basis Oro Valley
Ani Ehramjian, Ironwood Ridge High School
Sydney Hecht, Basis Oro Valley
Terika Horton, Ironwood Ridge High School
Danika Lunnon, Basis Oro Valley
Yorick Oden-Plants, Basis Oro Valley
Abigail Price, Ironwood Ridge High School
Sophie Sandweiss, Basis Oro Valley
Christian Schmidt, Basis Oro Valley
Samuel Sepulveda, Ironwood Ridge High School
Rav Singh, Basis Oro Valley
Christian Trejo, Canyon Del Oro High School
Kaitlyn Vlahoulis, Canyon Del Oro High School
Jennifer Xiao, Basis Oro Valley

CONSENT AGENDA

Councilmember Zinkin requested that items (B) and (C) be removed from the Consent Agenda for discussion.

A. Minutes - October 15, 2014

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Hornat to approve item (A).

MOTION carried, 6-0.

B. Request for approval of a two year extension for the Big Horn Commerce Center Development Plan located at the southeast corner of Oracle Road and Ram's Field Pass

Councilmember Zinkin expressed concerns regarding the proposed extension of the development plan.

Discussion ensued amongst Council regarding the proposed extension.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve item (B).

MOTION carried, 5-1 with Councilmember Zinkin opposed.

C. Resolution No. (R)14-56, authorizing and approving the Arizona Mutual Aid Compact between the Town of Oro Valley and the Arizona Department of Emergency and Military Affairs

Councilmember Zinkin asked who the participating parties of the agreement were and how reimbursement would take place.

Oro Valley Police Department Commander Jason Larter said the parties consisted of neighboring political subdivisions. Reimbursement would depend on the cost and duration of the event.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to approve Resolution No. (R)14-56, authorizing and approving the Arizona Mutual Aid Compact between the Town of Oro Valley and the Arizona Department of Emergency and Military Affairs.

MOTION carried, 6-0.

REGULAR AGENDA

1. RECONSIDERATION OF THE OCTOBER 1, 2014, CONDITION OF APPROVAL OF ORDINANCE NO. (O)14-03, SPECIFICALLY THE CONDITION THAT THERE BE SUBSTANTIAL COMPLETION OF PARK AMENITIES BEFORE GRADING PERMITS SHALL BE ISSUED

Councilmember Hornat gave an overview of item #1.

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to amend the additional condition added to the approval of Ordinance No. (O)14-13 on October 1, 2014, to read as follows:

The amount of funding provided for use of Hohokam Park as a recreation area must be equivalent to the full development cost of a park meeting non-PAD zoning code requirements for this development, which has been determined to be \$75,000.

This funding must be entirely used to increase the number or type of recreational amenities within the park facility. Examples of such improvements include additional play or sports equipment or expansion of the park facility. The monies shall not be used for the repair, dog park replacement or remodeling of existing facilities or for ongoing park operations or maintenance.

A signed letter from the developer/owner to the Town, verifying that an agreement is in place committing builder/developer to paying Rancho Vistoso HOA the sum of \$75,000, along with language indicating that the money will be used in compliance with this condition, shall be provided prior to issuance of any home building permit in order to certify compliance with this rezoning condition.

MOTION carried, 6-0.

2. DISCUSSION AND POSSIBLE DIRECTION IN REGARD TO AMENDING

ZONING CODE SECTION 22.15(F), ENTITLED, NEIGHBORHOOD MEETING REQUIREMENTS

Councilmember Zinkin presented his recommendations regarding neighborhood meeting requirements.

Discussion ensued amongst Council regarding neighborhood meeting requirements.

The Town Council directed Town Manager, Greg Caton, to review the Neighborhood Meeting Standard Operating Procedure (S.O.P.) to ensure conformance with Town Code requirements.

FUTURE AGENDA ITEMS

Councilmember Zinkin requested a future agenda item for January, 2015, to discuss and provide possible direction regarding sign illumination standards, seconded by Vice Mayor Waters.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 7:12 p.m.

MOTION carried, 6-0.

Prepared by:

Michael Standish, CMC
Deputy Town Clerk

I hereby certify the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 5th day of November, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2014.

Julie K. Bower, MMC
Town Clerk



Town Council Regular Session

Item # **B.**

Meeting Date: 11/19/2014

Requested by: Stacey Lemos

Submitted By: Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2014/15 Financial Update through September 2014

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through September totaled \$7.2 million, or 22.2% of the budget amount of \$32.3 million. Year-to-date expenditures through September totaled \$6.5 million, or 19.9% of the budget amount of \$32.5 million. Please note that the expenditure budget includes the authorized use of contingency reserves in the amount of \$190,000 to fund the purchase of a modular building to address Town space needs, including the on-site health clinic, which was approved by Council on July 2, 2014. This amount is included in the budgeted transfer out to the General Government CIP Fund.

In the Highway Fund (see attachment B), revenues collected through September totaled \$741,742, or 25.0% of the budget amount of \$3.0 million. Year-to-date expenditures through September totaled \$654,300, or 15.0% of the budget amount of \$4.4 million. It is important to note that the Highway Fund budget includes the planned use of \$1.4 million in reserves, as all construction sales tax revenues are now fully accounted for in the General Fund.

In the Bed Tax Fund (see attachment C), revenues collected through September totaled \$191,760, or 20.2% of the budget amount of \$949,000. Year-to-date expenditures through September totaled \$247,258, or 25.7% of the budget amount of \$961,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

Attachment A shows General Fund revenues and expenditures through September, as well as year-end estimates for each category. The estimated year-end projections in the General Fund are as follows:

Revenues	\$32,401,803
<u>Less:</u>	
Expenditures	(\$32,309,768)
Est. Increase in Fund Balance	\$ 92,035

General Fund Revenues

- Local sales tax collections in the General Fund total \$3.3 million or 21.4% of the budget amount of \$15.7 million. Sales tax collections in the General Fund are estimated to come in on budget at this time. **Please note the inclusion of a new, additional attachment (Attachment E), which will track General Fund local sales tax collections on a monthly basis, including construction and utility sales tax.**
- Federal Grant revenues are estimated to come in over budget by about \$44,000 or 7.4%, due to grant funds received for a Police DUI Tahoe funded by the Governor's Office of Highway Safety.
- Charges for Services revenues are estimated to come in over budget by about \$81,000 or 4.8%, due primarily to revenue trends at the Aquatic Center and zoning & subdivision fees.
- Interest Income collections through September reflect unrealized interest losses in July and September, which are expected to be recovered throughout the remainder of the fiscal year.

Staff will continue to monitor revenue collections and may adjust the year-end estimates based on actual trends.

General Fund Expenditures

- Expenditures are estimated to come in under budget by nearly \$147,000 or 0.5%, due to projected vacancy savings. Note that these savings are estimates and are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user funds total \$695,600, or 25.2% of the budget amount of \$2.8 million and are estimated to come in on budget at this time.

Highway Fund Expenditures

- Expenditures are estimated to come in on budget at this time.

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total \$192,251, or 20.4% of the budget amount of \$945,000 and are estimated to come in on budget at this time.

Bed Tax Fund Expenditures

- Expenditures are estimated to come in on budget at this time.

Please see Attachments A, B, and C for additional details on the General Fund, Highway Fund and Bed Tax Fund respectively. See Attachment D for a fiscal year-to-date consolidated summary of all Town funds. In addition, as noted earlier, a new Attachment E is included with a breakdown of monthly local sales tax collections for the General Fund.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund

Attachment B - HW Fund

Attachment C - Bed Tax Fund

Attachment D - Summary All Funds

Attachment E - GF Local Sales Tax



September YTD Financial Status

ATTACHMENT B

FY 2014/2015

Highway Fund

% Budget Completion through September --- 25%

REVENUES:

LICENSES & PERMITS	13,715	52,000	26.4%
STATE/COUNTY SHARED	695,600	2,754,947	25.2%
CHARGES FOR SERVICES	32,373	129,493	25.0%
INTEREST INCOME	(1,973)	19,250	-10.3%
MISCELLANEOUS	2,028	10,000	20.3%
TOTAL REVENUES	741,742	2,965,690	25.0%

Actuals thru 9/2014	Budget	% Actuals to Budget
13,715	52,000	26.4%
695,600	2,754,947	25.2%
32,373	129,493	25.0%
(1,973)	19,250	-10.3%
2,028	10,000	20.3%
741,742	2,965,690	25.0%

Year End Estimate *	YE % Variance to Budget
52,000	0.0%
2,754,947	0.0%
129,493	0.0%
19,250	0.0%
10,000	0.0%
2,965,690	0.0%

EXPENDITURES:

ADMINISTRATION	109,506	610,478	17.9%
TRANSPORTATION ENGINEERING	114,158	537,275	21.2%
PAVEMENT MANAGEMENT	25,171	1,219,002	2.1%
STREET MAINTENANCE	303,157	1,053,631	28.8%
TRAFFIC ENGINEERING	102,308	934,276	11.0%
TOTAL EXPENDITURES	654,300	4,354,662	15.0%

Actuals thru 9/2014	Budget	% Actuals to Budget
109,506	610,478	17.9%
114,158	537,275	21.2%
25,171	1,219,002	2.1%
303,157	1,053,631	28.8%
102,308	934,276	11.0%
654,300	4,354,662	15.0%

Year End Estimate *	YE % Variance to Budget
610,478	0.0%
537,275	0.0%
1,219,002	0.0%
1,053,631	0.0%
934,276	0.0%
4,354,662	0.0%

SURPLUS / (DEFICIT)

87,442 (1,388,972)

(1,388,972)

BEGINNING FUND BALANCE **

4,175,161

Plus: Surplus / (Deficit)

(1,388,972)

ENDING FUND BALANCE **

2,786,189

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision



September YTD Financial Status

ATTACHMENT C

FY 2014/2015

Bed Tax Fund

% Budget Completion through September --- 25%

REVENUES:

BED TAXES
INTEREST INCOME
TOTAL REVENUES

Actuals thru 9/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
192,251	944,571	20.4%	944,571	0.0%
(491)	4,125	-11.9%	4,125	0.0%
191,760	948,696	20.2%	948,696	0.0%

EXPENDITURES:

ECONOMIC DEVELOPMENT
TRANSFERS OUT
TOTAL EXPENDITURES

Actuals thru 9/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
79,715	608,457	13.1%	608,457	0.0%
167,543	352,543	47.5%	352,543	0.0%
247,258	961,000	25.7%	961,000	0.0%

SURPLUS / (DEFICIT) (55,498) (12,304) (12,304)

BEGINNING FUND BALANCE ** 425,099

Plus: Surplus / (Deficit) (12,304)

ENDING FUND BALANCE ** 412,795

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision



Consolidated Year-to-Date Financial Report through September, 2014

Fund	FY 14/15 Begin Bal.	Revenue	Other Fin Sources/Tfrs	Total In	Capital Leases/ Transfer Out	Personnel	O&M	Capital	Contingency	Debt Service	Total Out	Left in Accounts Thru Sep 2014
General Fund - Unassigned	9,925,988	7,174,381	-	7,174,381	160,526	4,771,092	1,484,523	51,934	-	-	6,468,075	10,632,294
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	741,742	-	741,742	-	407,618	101,171	145,511	-	-	654,300	4,262,603
Seizure & Forfeiture - State	526,901	2,583	-	2,583	-	-	25,170	14,100	-	-	39,270	490,214
Seizure & Forfeiture - Justice	349,724	184	-	184		23,458	5,612	51	-	-	29,121	320,787
Bed Tax Fund - Committed	425,099	191,760	-	191,760	167,543	54,177	25,538	-	-	-	247,258	369,601
Impound Fee Fund	7,346	8,550	-	8,550	-	6,105	-	-	-	-	6,105	9,791
Municipal Debt Service Fund	533,928	31,804	329,627	361,431	-	-	2,824	-	-	667,200	670,024	225,334
Oracle Road Debt Service Fund	281	-	-	-	-	-	250	-	-	-	250	31
Alternative Water Resources Dev Impact Fee Fund	3,336,099	339,756	-	339,756	-	-	-	59,620	-	-	59,620	3,616,235
Potable Water System Dev Impact Fee Fund	4,505,635	172,599	-	172,599	-	-	-	-	-	-	-	4,678,234
Townwide Roadway Development Impact Fee Fund	2,791,166	152,152	-	152,152	-	-	-	52,494	-	-	52,494	2,890,824
Parks & Recreation Impact Fee Fund	21,555	37,785	-	37,785	-	-	-	-	-	-	-	59,340
Library Impact Fee Fund	114,798	-	-	-	-	-	-	-	-	-	-	114,798
Police Impact Fee Fund	205,936	14,886	-	14,886	-	-	-	-	-	-	-	220,822
General Government Impact Fee Fund	3,502	1	-	1	-	-	-	-	-	-	-	3,503
Naranja Park Fund	737,056	-	-	-	-	-	-	212,189	-	-	212,189	524,867
General Government CIP Fund	1,500,000	-	-	-	-	-	-	89,301	-	-	89,301	1,410,699
Water Utility	11,823,342	3,577,400	-	3,577,400	3,119	645,263	1,190,451	924,798	-	-	2,763,630	12,637,111
Stormwater Utility	503,474	113,170	-	113,170	1,919	74,893	90,040	6,563	-	-	173,414	443,229
Fleet Fund	84,949	202,338	-	202,338	-	17,821	116,791	27,173	-	-	161,784	125,502
Benefit Self Insurance Fund	584,509	526,632	-	526,632	-	-	604,343	-	-	-	604,343	506,798
Recreation In-Lieu Fee Fund	6,190	-	-	-	-	-	-	-	-	-	-	6,190
Total	43,770,673	13,287,721	329,627	13,617,348	333,107	6,000,427	3,646,711	1,583,732	-	667,200	12,231,176	45,156,844



General Fund Local Sales Tax Collections

FY 2014/2015

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	353,257	365,877	343,071										1,062,205
Utility Sales Tax	269,772	299,154	292,456										861,382
All Other Local Sales Tax *	624,020	415,665	384,822										1,424,507
TOTAL	\$ 1,247,049	\$ 1,080,696	\$ 1,020,349										\$ 3,348,094

* Note: Does not include cable franchise fees or sales tax audit revenues



Town Council Regular Session

Item # C.

Meeting Date: 11/19/2014

Requested by: Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

Department: Town Manager's Office

Information

SUBJECT:

Greater Oro Valley Chamber of Commerce Quarterly Report: July 1, 2014 - September 30, 2014

RECOMMENDATION:

This report is for information only.

EXECUTIVE SUMMARY:

The 2014/15 Financial Participation Agreement (FPA) between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce (Chamber) stipulates that a quarterly report be compiled by the Chamber and submitted to the Economic Development Division and Council. The enclosed report satisfies the FPA requirement for the first quarter of FY 2014/15.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 2014/15 FPA between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce is \$30,000.

SUGGESTED MOTION:

N/A

Attachments

Chamber FPA

Chamber First Quarter Report

RESOLUTION NO. (R)14-33

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A FINANCIAL PARTICIPATION AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE GREATER ORO VALLEY CHAMBER OF COMMERCE

WHEREAS, pursuant to A.R.S. § 9-500.11, the Town may appropriate public monies for and in connection with economic development activities as long as there is adequate consideration; and

WHEREAS, the Town desires to continue to promote a business environment in Oro Valley that enhances economic vitality and improves the quality of life for its residents; and

WHEREAS, the Town of Oro Valley desires to enter into a Financial Participation Agreement with the Greater Oro Valley Chamber of Commerce; and

WHEREAS, it is in the best interest of the Town to enter into the Financial Participation Agreement with the Greater Oro Valley Chamber of Commerce, attached hereto as Exhibit "A" and incorporated herein by this reference, to set forth the terms and conditions of the Agreement.

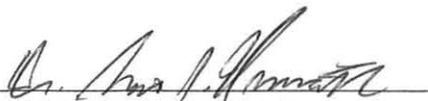
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. The Financial Participation Agreement between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby authorized and approved.

SECTION 2. The Mayor and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 4th day of June, 2014.

TOWN OF ORO VALLEY


Dr. Satish I. Hiremath, Mayor

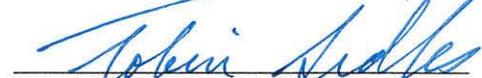
ATTEST:



Julie K. Bower, Town Clerk

Date: 6/6/14

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 6/5/14

EXHIBIT "A"

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 10 day of June, 2014, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and the **Greater Oro Valley Chamber of Commerce**, a non-profit corporation, hereinafter called the "Agency".

WITNESSETH

WHEREAS, it has been determined that the activities of Agency are in the public interest, and are such as to improve and promote the public welfare of the Town; and

WHEREAS, the Mayor and Council have determined that to financially participate in the promotion of the activities of Agency is a public purpose in that the activities confer direct benefit of a general character to a significant part of the public.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do mutually agree as follows:

Section 1: Statement of Purpose

Agency will provide tourism and visitor's services and information to Town residents and seasonal tourists and anyone indicating an interest in locating a business or residence in the Town.

Section 2: Services to be Performed by Agency

Agency performance measures for Fiscal Year 2014/15 are as follows:

1. Business Recruitment, Retention and Outreach
 - a. The Chamber will continue to participate in the Town's Business Retention and Expansion (BR&E) Program.
 - b. The Chamber enhanced the Town's existing Shop Oro Valley campaign by creating a Shop Oro Valley Coupon Book in FY2012/13. The Shop Oro Valley Coupon will be created annually by the Chamber. The final draft of the Shop Oro Valley Coupon Book will be coordinated between the Chamber President/CEO and the Economic Development Manager.
 - c. To expand upon the Shop Oro Valley campaign and the OV Dollars program, the Chamber will coordinate at least two "Shop Oro Valley" special events with Oro Valley businesses.
 - d. The Chamber will serve as a second distribution point for OV Dollars and will provide minimum total sales of \$10,000 during the period of this contract.
 - e. The Chamber shall work to assist the Town in emphasizing the importance of supporting local retailers/businesses through educational and promotional efforts and will display the following materials at the Chamber offices: Oro Valley Business Navigator, Shop Oro Valley Campaign and OV Dollars and other

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

economic development related materials as deemed appropriate by the Chamber President/CEO and Economic Development Manager.

2. Special Events
 - a. The Chamber will coordinate ribbon cuttings for new Oro Valley businesses.
 - b. The Chamber will host four Oro Valley educational forums that will be open to members and non-members.
 - c. The Chamber will collect marketing material from Oro Valley area businesses that will be given to attendees and athletes, during special events. The material will be provided to the Economic Development Division one week prior to the day of the event.
 - d. The Chamber will provide \$10 in OV Dollars to 500 athletes of the 2015 Arizona Distance Classic. The total cost will be split between the Town of Oro Valley, M3S Sports and Visit Tucson.
 - e. During this Agreement, Town officials will attend Chamber breakfasts, luncheons and mixers free of charge as long as each official pre-registers for each event.
 - f. The Town will receive one complimentary table of 10 for the Annual Chamber meeting.
 - g. The Town will receive eight complimentary tables of 10 to the State of the Town of Oro Valley Address and Luncheon.
 - h. Annual Chamber membership dues to be paid by the Town shall be included as part of the monetary consideration of this Agreement.
 - i. During the term of this Agreement, the Agency will refrain from endorsing any candidate for Mayor or Council member of the Town of Oro Valley.

Section 3: Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, up to Thirty Thousand Dollars (\$30,000) shall be allocated to Agency.

Section 4: Responsibility for Open Records

Agency agrees to open to the public all records relating to any funds directly received from the Town that Agency distributes to any organization and/or individual.

Section 5: Evaluation Criteria and Reporting

In order to assess the impact of Agency, the Town reserves the right to evaluate performance, and to have access to all pertinent information necessary to make evaluations.

- A. Agency agrees to submit to the Town, through the Economic Development Division, quarterly reports addressing the progress of Agency in achieving its Program of Work. Reports shall be submitted within thirty (30) working days of the end of each calendar quarter.
- B. Agency agrees to give explanations for any variance in the expected performance for each measure.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

- C. Agency agrees to give projected performance for each measure through the end of the fiscal year (June 30th).
- D. Agency agrees to review and present such reports to the Town Council in open meetings on an "as requested" basis.

Section 6: Accountability

Agency shall maintain a true and accurate accounting system which meets generally accepted accounting principles, and which is capable of properly accounting for all expenditures and receipts of Agency on a timely basis. In addition, Agency shall maintain evidence of its compliance with the nondiscrimination provisions of this Agreement.

Agency's accounting system shall permit separate, identifiable accounting for all funds provided by the Town pursuant to this Agreement.

Agency shall provide the Finance Department of the Town, within four (4) months after the close of Agency's fiscal year, a copy of the financial audit of Agency's operations by an independent certified public accountant, along with any management letter and, if applicable, Agency's plan for corrective action.

If Agency does not have an audit, it shall submit within three (3) months after the close of its fiscal year, a complete accounting of Town funds received. This accounting must be approved by the Finance Department of the Town as sufficiently descriptive and complete.

If for good reason Agency cannot meet the times established for submission of financial reporting, Agency shall notify the Finance Department in writing the reason for the delay, provide an expected completion date and request a waiver of the due date.

At any time during or after the period of this Agreement, the Town Finance Department and/or a Town agent may audit Agency's overall financial operation or compliance with the nondiscrimination clause of this Agreement for the Agreement period. Agency shall provide any financial reports, nondiscrimination policies and procedures or other documentation necessary to accomplish such audits.

Section 7: Matching Grants

Agency agrees to obtain Mayor and Council approval prior to applying for any matching grants involving the commitment of Town funds.

Section 8: Nondiscrimination

Agency, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to discriminations, biases, and/or limitations, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, the Arizonans with Disabilities Act, the Human Relations provisions of the Oro Valley Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary Town funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. See Administrative Guidance Re: Non-Discrimination Policy for Programs Funded by the Town of Oro Valley, attached and incorporated herein by this reference.

Section 9: Sub-recipient Funding Agreements

Agency agrees to include in all of its sub-recipient funding agreements the nondiscrimination provisions contained in Section 8 herein.

Section 10: Term of Agreement

This Agreement shall be effective from July 1, 2014 through June 30, 2015. This Agreement may be extended at the sole option of the Town for additional fiscal year(s) only under the following conditions:

- A. The Mayor and Council of the Town determine the services of Agency are in the public interest and allocate funds therefore; and
- B. The parties mutually agree to a scope of services to be provided by Agency in any subsequent fiscal year.

Any extension of this Agreement shall be memorialized in writing and signed by the Parties.

Section 11: Payment Withholding, Reduction, or Termination

The Town may withhold whole or part of the scheduled payment, reduce, or terminate funding allocations to Agency if:

- A. Services are not rendered.
- B. Agency fails to supply information or reports as required.
- C. Agency is not in compliance with agreed upon disbursement documentation and/or other project performance.
- D. Agency fails to make required payments to subcontractors.
- E. The Town has reasonable cause to believe Agency is not in compliance with the nondiscrimination clause of this Agreement.
- F. The Mayor and Council fail to appropriate all or part of the funds for this Agreement.

Such payment reductions or payment termination may result in Agency receiving a lesser total Town allocation under this Agreement than the maximum funding allocated. If reasons for withholding payments other non-appropriation of funds have been corrected to the satisfaction of the Town, any amounts due shall be processed.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

The Town will be reimbursed for any funds expended for services not rendered. In addition, Agency shall return to the Town any Town funds provided pursuant to this Agreement that have not been expended by June 30, 2015.

Section 12: Termination of Agreement

This Agreement may be terminated at any time by mutual written consent, or by either party giving thirty (30) days written notice to the other party or at such time, as in the opinion of the Town, Agency's performance hereunder is deemed unsatisfactory.

Section 13: Method of Payment

The parties have agreed that Agency will receive up to \$30,000. Disbursement of funds by the Town is subject to the annual appropriation by the Town Council and the limitations of the state budget law. Payments shall be made on a quarterly basis commencing July 1, 2014. Payments are to be made within forty (40) days after the close of each preceding quarter.

Section 14: Indemnification

Agency agrees to indemnify, defend and save harmless the Town, its Mayor and Council, appointed boards, committees, and commissions, officers, employees, and insurance carriers, individually and collectively, from all losses, claims, suits, demands, expenses, subrogations, attorney's fees, or actions of any kind and nature resulting from personal injury to any person, including employees of Agency or of any subcontractor employed by Agency (including bodily injury and death); claims based upon discrimination and/or violation of civil rights; or damages to any property, arising or alleged to have arisen out of the work to be performed hereunder, except any such injury or damages arising out of the sole negligence of the Town, its officers, agents, or employees. Workers' Compensation insurance and/or self-insurance carried by the Town do not apply to employees or volunteers acting in any capacity for Agency.

Section 15: Independent Contractor

The parties stipulate and agree that Agency is not an employee of the Town and is performing its duties hereunder as an Independent Contractor, supplying its own employees and maintaining its own insurance, workers' compensation insurance and handling all of its own internal accounting. The Town in no way controls, directs or has any responsibility for the actions of Agency.

Section 16: Insurance

Agency agrees to:

- A. Obtain insurance coverage of the types and amounts required in this Section and keep such insurance coverage in force throughout the life of this Agreement. All policies will contain

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

an endorsement providing that written notice be given to the Town at least thirty (30) calendar days prior to termination, cancellation, or reduction in coverage in any policy.

B. The Comprehensive General Liability Insurance policy will include the Town as an additional insured with respect to liability arising out of the performance of this Agreement.

C. Agency will provide and maintain minimum insurance limits as follows:

COVERAGE AFFORDED	LIMITS OF LIABILITY
1. Workers' Compensation	Statute
2. Employer's Liability	\$100,000
3. Comprehensive General Liability Insurance -- Including: (1) Products and Completed Operations (2) Blanket Contractual	\$1,000,000 - Bodily Injury and Combined Single Limit \$100,000 Property Damage

D. Agency shall adequately insure itself against claims based upon unlawful discrimination and violation of civil rights. The cost of this insurance shall be borne by Agency.

Section 17. Use of the Town Logo

The Town Logo shall be used for the recognition of the Town's contribution to Agency only.

Section 18: Conflict of Interest

This Agreement is subject to the conflict of interest provisions of A.R.S. § 38-511, *et seq.*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF ORO VALLEY, a municipal corporation


 Dr. Satish I. Hiremath, as Mayor
 and not personally

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower
Julie K. Bower, as Town Clerk
and not personally

Tobin Sidles
Tobin Sidles, as Legal Services Director
and not personally

Date: 6/6/14

Date: 6/5/14

GREATER ORO VALLEY CHAMBER OF COMMERCE., a non-profit Corporation

David P. Perry
Agency Representative
and not personally

Title President/CEO

State of Arizona)
) ss.
County of)

On this 10 day of June, 2014, David P. Perry, known to me to be the person whose name is subscribed to the within instrument, personally appeared before me and acknowledged that he/she executed the same for the purposes contained.

Given under my hand and seal on June 10, 2014.

Teresa Bracamonte
Notary

My Commission Expires: 3/26/2014





QUARTERLY PROGRESS REPORT

July 1, 2014 – September 30, 2014

Submitted To: Amanda Jacobs, Economic Development Manager

By: Dave Perry, President/CEO

In accordance with Resolution No. (R) 14-33

A. Tourism, Visitors Services and General Information

The Greater Oro Valley Chamber of Commerce has provided tourism and visitor’s services and information to Town residents and seasonal tourists and anyone indicating an interest in locating a business or residence in the Town over the past three months. Below is data on activity that the Chamber has addressed through this quarter:

Category	July 2014	Aug 2014	Sept 2014	Total
1. Business Retention Site Visits	1	1	2	4
2. OV Dollars Distribution	\$50	0	\$50	\$100
3. Ribbon Cuttings	2	0	1	3
4. Breakfasts, lunches, mixers	4	10	80	94
5. Relocation Packages	14	48	4	66

1. The Chamber President and/or staff attended Business Retention Site Visits with the following businesses: **Desert Springs Gracious Retirement Living, Mutual of Omaha Bank, Villas at San Dorado and Panera Bread.**
2. OV Dollars: The Chamber is responsible for activating and distributing **\$10,000** in OV Dollars cards this fiscal year. This quarter the Chamber activated **4 cards** totaling **\$100.**
3. Ribbon cuttings/ground breakings were held for **Dickey’s Barbecue** on **July 14**, **HSL Properties’ Encantada at Steam Pump** apartment project on **July 19**, and the **Villas at San Dorado** on **Sept. 5**. The Chamber also helped **Red Lion Inn & Suites** celebrate its new branding at an August event.
4. **94** Town officials took advantage of the free Chamber breakfasts, luncheons and mixers.
5. **66** relocation packages were distributed in the first quarter.

Additional Information

The Chamber hosted the **Oro Valley State of the Town luncheon** on **Friday, Sept. 12**. We had **580 guests**. The Town of Oro Valley purchased **80 tickets to that event**, at a cost of **\$4,400**.

The Chamber also hosted its **Annual Meeting / Awards breakfast** on **Friday, Aug. 8**. The Town of Oro Valley purchased **10 tickets** to that event at a cost of **\$300**.

We also made **courtesy calls** with town staff in early July to talk about **sign rules in the newly annexed area west of Oracle and north of Ina**; had a **July 29 meeting** with town staff to strategize about **Oro Valley Dollars**; worked with planning staff on the **October economic development forum** that was part of **Your Voice Our Future**; met with town staff and Visit Tucson to partner together to develop a **kids free month campaign in Oro Valley**.



Town Council Regular Session

Item # D.

Meeting Date: 11/19/2014

Requested by: Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

Department: Town Manager's Office

Information

SUBJECT:

Visit Tucson Quarterly Report: July 1, 2014 - September 30, 2014

RECOMMENDATION:

This report is for information only.

EXECUTIVE SUMMARY:

The FY 2014/15 Financial Participation Agreement (FPA) between the Town of Oro Valley and Visit Tucson (formerly known as the Metropolitan Tucson Convention and Visitors Bureau) stipulates that a quarterly report be compiled by Visit Tucson and submitted to the Economic Development Division and Town Council. The enclosed report satisfies the FPA requirement for the first quarter of FY 2014/15.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 2014/15 FPA between the Town of Oro Valley and Visit Tucson is \$175,000.

SUGGESTED MOTION:

N/A

Attachments

MTCVB FPA

Visit Tucson First Quarter Report

RESOLUTION NO. (R)12-37

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A FINANCIAL PARTICIPATION AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, pursuant to A.R.S. § 9-500.11, the Town may appropriate public monies for and in connection with economic development activities as long as there is adequate consideration; and

WHEREAS, the Town desires to continue to promote a business environment in Oro Valley that enhances economic vitality and improves the quality of life for its residents; and

WHEREAS, the Town of Oro Valley desires to enter into a Financial Participation Agreement with the Metropolitan Tucson Convention and Visitors Bureau (MTCVB); and

WHEREAS, it is in the best interest of the Town to enter into the Financial Participation Agreement with the MTCVB, attached hereto as Exhibit "A" and incorporated herein by this reference, to set forth the terms and conditions of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. The Financial Participation Agreement between the Town of Oro Valley and the Metropolitan Tucson Convention and Visitors Bureau, attached hereto as Exhibit "A", is hereby authorized and approved.

SECTION 2. The Mayor and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 20th day of June, 2012.

TOWN OF ORO VALLEY


Dr. Satish I. Hiremath, Mayor

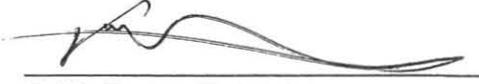
ATTEST:



Julie K. Bower, Town Clerk

Date: 6/21/12

APPROVED AS TO FORM:



Tobin Rosen, Town Attorney

Date: 6/20/12

EXHIBIT “A”

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of July, 2012, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and the **Metropolitan Tucson Convention and Visitors Bureau**, a non-profit corporation, hereinafter called the "Agency".

WITNESSETH

WHEREAS, it has been determined that the activities of Agency are in the public interest, and are such as to improve and promote the public welfare of the Town; and

WHEREAS, the Mayor and Council have determined that to financially participate in the promotion of the activities of Agency is a public purpose in that the activities confer direct benefit of a general character to a significant part of the public.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do mutually agree as follows:

Section 1. Definitions

- A. Tour Operator – a person who arranges and/or organizes groups of people to travel together to a destination and who also organizes tour packages and advertises them for people to buy.
- B. Travel Agent Impressions – the number of travel agents who would likely read a tour brochure which a tour operator produced to promote tours that he or she organized.

Section 2. Statement of Purpose

Agency will initiate, implement and administer a comprehensive sales promotion and advertising program to attract an increasing number of convention delegates and vacationing tourists to the Town, thereby providing revenues to the community through transient rental and sales taxes, and contributing to the overall economic growth and continued viability of the tourism and hospitality industry.

Section 3. Services to be Performed by Agency

Agency performance measures outlined below are for FY 2012-13 (July 1, 2012 – June 30, 2013). The performance measures for FY 2013-14 (July 1, 2013 – June 30, 2014) will be determined at the end of FY 2012-13. The performance measures for FY 2014-15 (July 1, 2014 – June 30, 2015) will be determined at the end of FY 2013-2014.

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

Convention Sales

1. Generate 275 convention sales leads for Oro Valley properties.
2. Conduct 35 customer interaction/site inspections for Oro Valley properties.
3. Confirm 12 convention bookings for future dates for Oro Valley properties.
4. Confirm convention bookings for future dates resulting in 6,000 room nights for Oro Valley properties.

Convention Services

1. Service a minimum of 25 Oro Valley meetings and conventions.

Travel Industry Sales

1. Generate 35 domestic and international tour program leads and services for Oro Valley properties/venues.
2. Promote Oro Valley as one of the world's top leisure destinations to 500 targeted tour operator clients.
3. Generate a minimum of 600,000 tour operators and travel agent impressions via destination product offering in domestic and international tour operator catalogues.

Communications

1. Feature Oro Valley within the first 10 pages of the Official MTCVB Visit Guide
2. Reach a minimum of 750,000 readers/viewers through editorial placement.
3. Generate publicity with an equivalent advertising value of at least \$20,000.00.

Marketing

1. Feature Oro Valley's Aquatic Facility in the online edition of the Sports Facility Guide
2. Generate no less than a total of 75,000 inquiries from high demographic customers in primary markets i.e. (Chicago, Los Angeles, New York) secondary markets (including Denver, San Diego, San Francisco) and Canada.
3. Generate a minimum of 1,250,000 unique visitors to the MTCVB website (www.visitTucson.org).
4. Generate 10,000 unique visitors to the Town of Oro Valley's and Oro Valley properties website (www.orovalleyaz.gov) from the MTCVB website (www.visitTucson.org).
5. Town officials may attend trade shows with MTCVB staff at the expense of the Town.

General Support

1. Consult with Town staff and officials on tourism sales and marketing initiatives, including, but not limited to, promoting Town venues to special event operators, Mexico marketing, leisure marketing and group sales initiatives.
2. One Town official will serve on the MTCVB Board of Directors.

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

Section 4. Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, up to Seventy Four Thousand Nine Hundred Seventy Dollars (\$74,970) shall be allocated to Agency.

Section 5. Responsibility for Open Records

Agency agrees to open to the public all records relating to any funds directly received from the Town that Agency distributes to any organization and/or individual.

Section 6. Evaluation Criteria and Reporting

- A. Agency agrees to submit to the Town, through the Economic Development Division, quarterly reports addressing the progress of the Agency in achieving its performance measures listed in Section 2. Reports shall be submitted to the Economic Development Manager within thirty (30) working days of the end of the calendar quarter.
- B. Agency agrees to review and present such quarterly reports to the Town Council in open meetings on an "as requested" basis.

Section 7. Accountability

Agency shall maintain a true and accurate accounting system which meets generally accepted accounting principles, and which is capable of properly accounting for all expenditures and receipts of Agency on a timely basis. In addition, Agency shall maintain evidence of its compliance with the nondiscrimination provisions of this Agreement.

Agency shall provide the Finance Department of the Town, 15 days after MTCVB Board approval, a copy of the financial audit of Agency's operations by an independent certified public accountant, along with any management letter and, if applicable, Agency's plan for corrective action.

At any time during or after the period of this Agreement, the Town Finance Department and/or a Town agent may audit Agency's overall financial operation or compliance with the nondiscrimination clause of this Agreement for the Agreement period. Agency shall provide any financial reports, nondiscrimination policies and procedures or other documentation necessary to accomplish such audits.

Section 8. Matching Grants

Agency agrees to obtain Mayor and Council approval prior to applying for any matching grants involving the commitment of Town funds.

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

Section 9. Nondiscrimination

Agency, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to discriminations, biases, and/or limitations, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, the Arizonans with Disabilities Act, the Human Relations provisions of the Oro Valley Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary Town funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. See Administrative Guidance Re: Non-Discrimination Policy for Programs Funded by the Town of Oro Valley, attached and incorporated herein by this reference.

Section 10. Sub-recipient Funding Agreements

Agency agrees to include in all of its sub-recipient funding agreements the nondiscrimination provisions contained in Section 8 herein.

Section 11. Term of Agreement

This Agreement between parties as described above shall be effective from July 1, 2012 through June 30, 2015.

- A. The Mayor and Council of the Town determine the services of Agency are in the public interest and allocate funds therefore; and
- B. The parties mutually agree to a scope of services to be provided by Agency in any subsequent fiscal year.

At the end of the third fiscal year referred to above, the provisions of this agreement will be subject to review and renegotiations by the Town and the Bureau.

Section 12. Payment Withholding, Reduction, or Termination

The Town may withhold whole or part of the scheduled payment, reduce, or terminate funding allocations to Agency if:

- A. Services are not rendered.
- B. Agency fails to supply information or reports as required.
- C. Agency is not in compliance with agreed upon disbursement documentation and/or other project performance.
- D. Agency fails to make required payments to subcontractors.
- E. The Town has reasonable cause to believe Agency is not in compliance with the nondiscrimination clause of this Agreement.

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

F. The Mayor and Council fail to appropriate all or part of the funds for this Agreement.

Such payment reductions or payment termination may result in Agency receiving a lesser total Town allocation under this Agreement than the maximum funding allocated. If reasons for withholding payments other than non-appropriation of funds have been corrected to the satisfaction of the Town, any amounts due shall be processed.

The Town will be reimbursed for any funds expended for services not rendered. In addition, Agency shall return to the Town any Town funds provided pursuant to this Agreement that have not been expended by June 30, 2015.

Section 13. Termination of Agreement

This Agreement may be terminated at any time by mutual written consent, or by either party giving thirty (30) days written notice to the other party or at such time, as in the opinion of the Town, Agency's performance hereunder is deemed unsatisfactory.

Section 14. Method of Payment

- A. The parties have agreed that Agency will receive from the Town an amount not to exceed \$74,970 for FY2012-13. The Agency will receive an amount not to exceed \$120,000 for FY2013-14 and an amount not to exceed \$175,000 for FY2014-15. Disbursement of funds by the Town is subject to the annual appropriation by the Town Council and the limitations of the state budget law. Payments shall be made on a quarterly basis commencing July 1, 2012. Payments are to be made within forty (40) days after the close of each preceding quarter.
- B. It shall be the responsibility of the Agency to obtain funding from sources other than the Town. Financial participation agreements with other governments and government agencies, grants, donations, memberships and any other sources of funding as may become available from time to time shall be included as part of the annual budget submission.

Section 15. Indemnification

Agency agrees to indemnify, defend and save harmless the Town, its Mayor and Council, appointed boards, committees, and commissions, officers, employees, and insurance carriers, individually and collectively, from all losses, claims, suits, demands, expenses, subrogations, attorney's fees, or actions of any kind and nature resulting from personal injury to any person, including employees of Agency or of any subcontractor employed by Agency (including bodily injury and death); claims based upon discrimination and/or violation of civil rights; or damages to any property, arising or alleged to have arisen out of the work to be performed hereunder, except any such injury or damages arising out of the sole negligence of the Town, its officers, agents, or employees. Workers' Compensation insurance and/or self-insurance carried by the Town do not apply to employees or volunteers acting in any capacity for Agency.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 16. Insurance

Agency agrees to:

- A. Obtain insurance coverage of the types and amounts required in this Section and keep such insurance coverage in force throughout the life of this Agreement. All policies will contain an endorsement providing that written notice be given to the Town at least thirty (30) calendar days prior to termination, cancellation, or reduction in coverage in any policy.
- B. The Comprehensive General Liability Insurance policy will include the Town as an additional insured with respect to liability arising out of the performance of this Agreement.
- C. Agency will provide and maintain minimum insurance limits as follows:

COVERAGE AFFORDED	LIMITS OF LIABILITY
1. Workers' Compensation	Statute
2. Employer's Liability	\$100,000
3. Comprehensive General Liability Insurance -- Including: (1) Products and Completed Operations (2) Blanket Contractual	\$1,000,000 - Bodily Injury and Combined Single Limit \$100,000 Property Damage

- D. Agency shall adequately insure itself against claims based upon unlawful discrimination and violation of civil rights. The cost of this insurance shall be borne by Agency.

Section 17. Use of the Town Logo

The Town Logo shall be used for the recognition of the Town's contribution to Agency only.

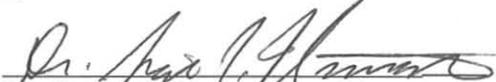
Section 18. Conflict of Interest

This Agreement is subject to the conflict of interest provisions of A.R.S. § 38-511, *et seq.*

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF ORO VALLEY, a municipal corporation


Dr. Satish I. Hiremath, as Mayor
and not personally

ATTEST:

APPROVED AS TO FORM:

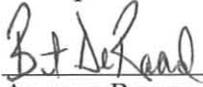
 Deputy Clerk FOR
Julie K. Bower, as Town Clerk
and not personally


Tobin Rosen, as Town Attorney
and not personally

Date: 7/2/12

Date: 7/2/12

METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU, a non-profit Corporation


Agency Representative
and not personally

Title President & CEO

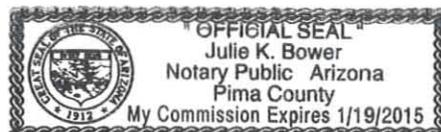
State of Arizona)
) ss.
County of PIMA)

On this 23rd day of July, 2012, BRENT E. DERAAD, known to me to be the person whose name is subscribed to the within instrument, personally appeared before me and acknowledged that he/she executed the same for the purposes contained.

Given under my hand and seal on July 23, 2012.


Notary

My Commission Expires: 1/19/2015





QUARTERLY PROGRESS REPORT

July through September 2014

Submitted To: Amanda Jacobs, Economic Development Manager

By: Brent DeRaad, President/CEO

In accordance with Resolution No. (R) 12-37

Visit Tucson will initiate, implement and administer a comprehensive sales, promotion and advertising program to attract an increasing number of convention delegates and vacationing tourists to the Town, thereby providing revenues to the community through transient rental and sales taxes, and contributing to the overall economic growth and continued viability of the tourism and hospitality industry. Below is data on activity that Visit Tucson has addressed through this quarter and fiscal year.

Ongoing focuses for Visit Tucson will be attracting meetings and leisure travelers to Hilton El Conquistador and other Town hotels, bringing competitions to the Oro Valley Aquatic Center, endurance events to the Town and marketing attractions, including Tohono Chul Park.

Key Measures of Performance	Adopted FY 2015	Current Quarter	FYTD 2015	FYTD 2014
Convention Sales				
Sales Leads	255	80	80	77
Site Inspections	28	9	9	9
Future Bookings	23	11	11	6
Room Nights of Future Bookings	10,500	3,209	3,209	3,210
Travel Industry Sales				
Leads/Services	35	13	13	6
Promote to Targeted Tour Operator Clients	500	313	313	232
Impressions Via Tour Operator Catalogs	750,000	964,100	964,100	3,000
Marketing				
Unique Visitors to Visit Tucson Website	1 M	325,468	325,468	231,669
Unique Visitors to Oro Valley via Visit Tucson Website	20,000	7,952	7,952	1,935

Visit Tucson's 2014-15 Budgeted Revenue

	Budget	Percentage
Pima County:	\$3,200,000	45%
City of Tucson:	\$2,900,000	41%
Town of Oro Valley:	\$175,000	2%
Pascua Yaqui Nation:	\$75,000	1%
Tohono O'odham Nation:	\$75,000	1%
Private Sector:	\$690,850	10%
Total:	\$7,115,850	100%

July-September 2014 Oro Valley Highlights Page 2

Additional 2014-15 Visit Tucson Performance Measures

- 1. Oro Valley will be featured in the Official Visitors Guide, along with the surrounding jurisdictions.**

Result: The 2015 Official Visitors Guide will be published later this year. The initial proof we're reviewing features Hilton El Conquistador Resort, Tohono Chul, Catalina State Park, Oro Valley Aquatic Center and The Golf Club at Vistoso.

- 2. Provide Oro Valley with a minimum of a ½-page ad in Official Visitors Guide.**

Result: We will provide Oro Valley with a ½-page ad and will follow up once the guide is published with the location of the advertisement.

- 3. Promote Oro Valley events and attractions on Visit Tucson's website and social media sites.**

Results: Visit Tucson promoted Saturday Market – Steam Pump Ranch on our website.

<http://www.visittucson.org/articles/view/Fundraising-Dinner-for-Heritage-Foods-Festival/1048/?fromMenu=1181>.

What's New in Tucson featured the Tucson Marathon.

<http://www.visittucson.org/articles/view/What-s-New-in-Tucson---September-2014/1069/?fromMenu=1181>.

Following is a Visit Tucson Facebook post from August 2014. Two additional Oro Valley-related posts were placed during the first quarter, as well.



Visit Tucson

Posted by Sprout Social [?] · August 5 ·

Your mountain is waiting. Come to Oro Valley, a natural oasis just north of Tucson. Roam freely the miles of well-marked trails, state parklands, and resort golf courses. Find small-town friendliness and family fun. Explore, and experience something genuine - <http://bit.ly/1qOSGD9>.



Oro Valley - It's in our nature...

Your mountain is waiting. Come to Oro Valley, a natural oasis just north of Tucson. In the shadow of magnificent Pusch Ridge, Oro Valley's wide-open beauty s...

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=C5BOH1...](https://www.youtube.com/watch?v=C5BOH1...)

July-September 2014 Oro Valley Highlights
Page 3

4. Feature the Oro Valley Aquatic Center in Visit Tucson's online sports facility guide.

Result: Visit Tucson featured the Oro Valley Aquatic Center in Visit Tucson Sports' online sports facility guide throughout the first quarter of the 2014-15 fiscal year:

<http://www.visittucson.org/sports/facilities/aquaov/>

5. Town officials may attend trade shows with Visit Tucson staff at the expense of the Town, except for the United States Sports Convention. Visit Tucson will cover the registration fees for Town officials.

Result: Town officials did not join Visit Tucson staff at any trade shows between July 1 and Sept. 30, 2014.

6. Host www.visitorovalley.org and update the site based on information provided by the Town's Economic Development Manager or Webmaster.

Result: A thorough list of accommodations, arts & entertainment, outdoor recreation and restaurants is listed on the website. We will gladly add requested information throughout the year. Outdoor-recreation was updated.

7. Provide total tourism-based direct spending and total tourism-based impact numbers from Visit Tucson Sports events held in Oro Valley.

Result: No sports events tied to Visit Tucson were held in Oro Valley between July and September 2014.

8. Rebate 5% (\$8,750) of Oro Valley's 2014-15 investment in Visit Tucson into tourism-related activities that benefit the Town.

Result: Visit Tucson did not rebate any of Oro Valley's 2014-15 investment between July and September 2014.

9. Consult with Town staff & officials on tourism sales & marketing initiatives, including, but not limited to, promoting Town venues to special event operators, Mexico & leisure marketing, & group sales initiatives.

Result: Allison Cooper, vice president of sales & marketing, met with Amanda Jacobs and others from the Town, including the Oro Valley Chamber of Commerce to discuss the merits of Visit Tucson's summer campaign for the Town. Angel Natal, Director of Visit Tucson Sports, met several times with Town staff to discuss event opportunities.

10. One Town official will serve on Visit Tucson's board of directors.

Result: Vice Mayor Lou Waters is an active participant on Visit Tucson's board of directors.

Meetings Economic Impact: Per the convention sales metrics listed on page 1, the economic impact of 11 meetings booked between July 1-Sept. 30, 2014 by the Hilton El Conquistador Resort and the Red Lion Inn & Suites Tucson North from Visit Tucson leads is \$1,074,959.



Item # **E.**

Town Council Regular Session

Meeting Date: 11/19/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of conceptual public art for the Copper Health Skilled Nursing Facility located on the northwest corner of Rancho Vistoso and Sun City Boulevards

RECOMMENDATION:

The Conceptual Design Review Board recommended approval on October 14, 2014, subject to the conditions in Attachment 1.

EXECUTIVE SUMMARY:

This is a request for approval of Conceptual Public Art for the Copper Health Skilled Nursing Facility (formerly known as Villa Fatima). To meet the public art requirement, the previous owner obtained a public art approval in 2010. Since then, the previous owner sold the property and the new owner wishes to use another art piece.

The applicant has completed a call for artist process and has hired artist, Cecilia Lueza, to install three public art pieces (Attachment 2). The proposed artworks consist of one (1) metal sculpture and two (2) tile mosaic benches.

BACKGROUND OR DETAILED INFORMATION:

The Copper Health Skilled Nursing Facility is a commercial development consisting of a 23,000 sq. ft. building. The project is nearing completion and the proposed art is necessary to meet the Town's 1% Public Art requirement. The proposed artworks conform to the Design Principles and Standards in the Zoning Code.

Approvals-To-Date:

- 2010: Development Plan and original Conceptual Public Art
- 2014: Revised Development Plan

Conceptual Public Art Summary:

The applicant is the first to utilize the Town's new call for artist process, which was established in January 2014. The process generated over 40 public art applications from both local and national artists. The final public art contract was awarded to Florida-based artist, Cecilia Lueza, to install three (3) public art pieces.

The proposed artworks consist of one (1) freestanding sculpture and two (2) mosaic benches. These

artworks are located near the main building entrance which faces an open space area. The application indicates that the proposed artworks are inspired by the colors and shapes of the Sonoran desert and are designed with linear curves and warm, transitioning colors. To ensure durability, a condition has been added requiring that the proposed artworks are treated with a protective sealing solution (i.e. rust treatment and weather seal).

The following is information on the proposed public art:

- Install one (1) freestanding sculpture in parking island
 - Name: "Desert Rose"
 - Dimensions: 14' x 4' (height and width)
 - Materials: poly-chromed aluminum with a clear finish
 - Colors: Transitioning colors from red to gold to copper
 - Cost: \$28,970

- Install two (2) mosaic benches as planters under porte-cochere
 - Name: untitled
 - Dimensions: 20" x 9' x 2' (height, length and width)
 - Materials: concrete and tile/ceramic/glass mosaics
 - Colors: Various shades of red, orange and brown
 - Cost: \$1,250

- Required art budget: \$27,410
- Proposed art budget: \$30,220 (\$28,970 + \$1,250)

It is worth noting that the proposed benches contain a simple mosaic design which may not be considered an artistic expression. Based on the fact that the value of the proposed benches (\$1,250) is not required for the 1% public art requirement, the CDRB has recommended approval of the benches.

Detailed analysis regarding conformance of the proposed Conceptual Public Art design in relation to the Design Principles and applicable Design Standards is provided in the attached CDRB staff report (Attachment 3).

Conceptual Design Review Board Review:

The Conceptual Public Art was considered by the CDRB at their October 14th meeting. The issues discussed at the meeting included the proposed materials and maintenance. The CDRB found the Conceptual Public Art to be in conformance with the applicable Design Principles and Standards, and has recommended approval, subject to the conditions in Attachment 1.

A copy of the draft CDRB minutes are included as Attachment 4.

Public Comment:

Notice was provided to the following:

- Homeowners Association mailing
- Town Hall and website posting

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the Conceptual Public Art for the Copper Health Skilled Nursing Facility, subject to the conditions in Attachment 1, finding that the Conceptual Public Art meets applicable Design Principles and Standards.

OR

I MOVE to deny the Conceptual Public Art for the Copper Health Skilled Nursing Facility, finding that the Conceptual Public Art does not meet applicable Design Principles and Standards.

Attachments

Attachment 1 - Conditions of Approval

Attachment 2 - Application

Attachment 3 - CDRB Staff Report

Attachment 4 - Draft CDRB Meeting Minutes

Copper Health Senior Care Facility
Conceptual Public Art
Conditions of Approval

1. The proposed artworks shall be treated with a protective sealing solution to ensure durability.
2. The applicant shall install a small metal plaque containing the artist's name, name of the artwork, installation date, and recognition of the Town's Public Art requirement.

**COPPER HEALTH ORO VALLEY
CONCEPTUAL PROPOSAL
1% FOR PUBLIC ART**

August 23, 2014



Development and Infrastructure Services
Planning Division

11000 N La Cañada Drive, Oro Valley, Arizona 85737 • 520-229-4815 • 520-742-1022 (Fax)

NOTICE TO APPLICANT – It is the applicant/owner’s responsibility to ensure all private rules and regulations of the subdivision are adhered to. Contact your HOA or property management company to determine all applicable requirements. Initials _____

APPLICATION FORM

OV Case # (Office Use Only): OV1210-03

Application Type: Public Art

A. Project Manager/Developer

Name: Terry McNellis
Firm: Copper Sands, Inc.
Address: 3602 E. Greenway Road, Suite 104
City: Phoenix State: Arizona Zip: 85032
Telephone: 612-991-9062 cell phone Fax: 602-368-8211 Email: gtmcnellis@stcroixre.com

B. Property Owner (s), if more than one owner, attach list

Name: Copper Health of Oro Valley, LLC
Firm: Copper Health of Oro Valley, LLC
Address: 3602 E. Greenway Road, Suite 104
City: Phoenix State: Arizona Zip: 85032
Telephone: 612-991-9062 cell phone Fax: 602-368-8211 Email: gtmcnellis@stcroixre.com

C. Subject Property

Parcel/Tax Code: APN 223-03-352A
Legal Description/Property Address: 1119 East Rancho Vistoso Blvd., Oro Valley, AZ 85755
Area of property: 1.70 Acres (74,165 SF)
Existing Zoning: C-1 Commercial District/PAD Proposed Zoning: C-1
Is Proposed Zoning in conformance with General Plan designation? N/A Yes No
General Plan Designation: Planned Area Development
Existing Land Use: Commercial Proposed Land Use: Commercial

D. Previous Applications Relating To This Property

OV8- _____ OV9- _____ OV10- _____
OV11- _____ OV12- 06-06B OV13- _____

E. Reason For Request

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

Date

Signature

NARRATIVE DESCRIPTION

Narrative description of the proposed art project including: intent and vision of the design, placement of art, and the commissioning of a project artist, as well as how the proposed artwork fits into the site plan and overall design theme of the project. Please note, conformance with the Oro Valley Zoning Code Revised definition of "public artwork" must be achieved.

COPPER HEALTH ORO VALLEY

Copper Health Oro Valley, 1119 E. Rancho Vistoso Blvd., Oro Valley, AZ
Brief Overview of Copper Health Oro Valley

Copper Health Oro Valley will be licensed as a skilled nursing home and will also be licensed under Medicare. While we are able to provide all levels of care with the exception of dementia, our primary focus will be on "transitional care". This is care for individuals who have suffered a medical event that generally requires hospitalization. Our role is to assist these individuals to return to full health and functionality. We will provide physical therapy as well as occupational and speech therapy. We will also provide respite, hospice and skilled care, as requested. Copper Health Oro Valley will provide individualized health care in a "concierge" fashion. All services are directed on a case by case basis and food and care will be available on demand. This facility will have first class finish treatments and many of the units and common areas offer spectacular views of the Catalina Mountains.
<http://www.copperhealthorovalley.com/>

Copper Health worked with local administrative partner the Southern Arizona Arts and Cultural Alliance to administer a national and locally Open Call to Artists, Request for Qualifications. Over 40 local and national artists applied for consideration for the project. The 40 applications and resumes were reviewed, of which 3 final artists were selected. Each artist prepared a comprehensive proposal based on the allocated budget. Based on the comprehensive proposals submitted by each artist and artist team, the final project was awarded to artist Cecilia Lueza. A final project proposal to incorporate integrated seating, as well as a main sculptural focal piece, were selected for the Oro Valley development project.

Selected Artist: Cecilia Lueza

SCULPTURE DESCRIPTION / CHARACTERISTICS

Identify typical art characteristics that illustrate the use and style of the art, including scale drawing, dimension, height, materials and color palette, and if the art is to be freestanding, integrated, and/or functional.

The main sculpture is Inspired by the shapes and colors we find in nature. Its purpose is to enhance and brighten the appearance of the building while adding a welcoming feeling to the property.

The main sculpture is comprised of four individual tapered vertical polychromed aluminum pieces attached to each other at the base. As they sprout upwards they coalesce into individual curved forms.

Their wide ranging color palette transitions from red at the base all the way through to gold and copper at the top.

The sculpture is freestanding and has its own steel pedestal that mounts directly to the concrete base with lag bolts. Once the concrete pad with base bolts has been installed, the sculpture would be lower into place with a small crane. Then, nuts and washers will be secured into the base bolts.

The fully exposed art sculpture has its base and supporting foundation, inside of a curbed and separated landscape island. By doing this the artist has provided for the public safety by not hindering or obstructing any adjacent vehicle traffic circulation, or obscuring vehicle site visibility.

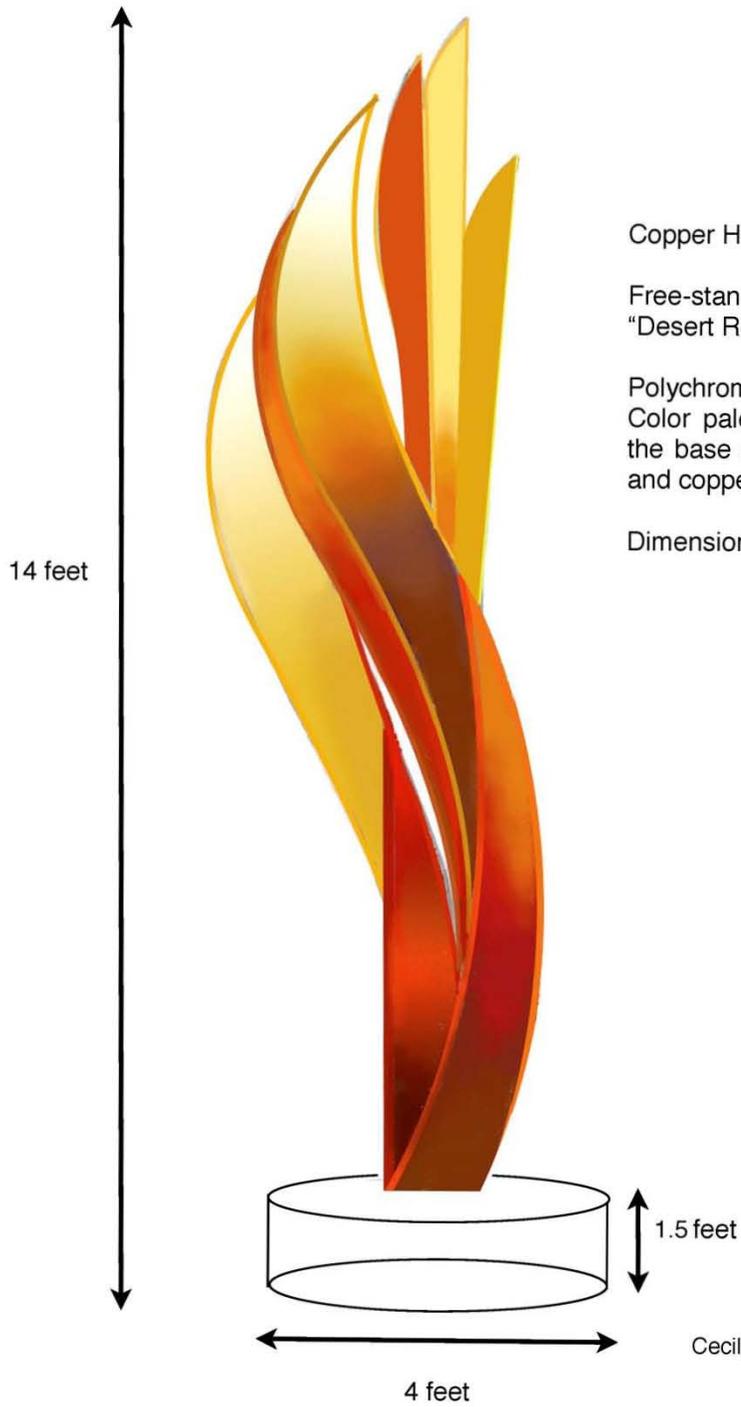
Dimensions: 14 feet high (including base), 4 feet in diameter.

Materials: Polychrome aluminum panels. Concrete base.

The sculpture is not protected from the elements and is designed to withstand harsh weather conditions, as it is fully exposed.



Copper Health Nursing Facility
Outdoor Free-standing Sculpture



Copper Health Nursing Facility

Free-standing sculpture
"Desert Rose"

Polychrome aluminum, clear finishes.
Color palette transitions from red at
the base all the way through to gold
and copper at the top.

Dimensions: 14' x 4' x 3'

Cecilia Lueza 2014

INTEGRATED BENCHES DESCRIPTION

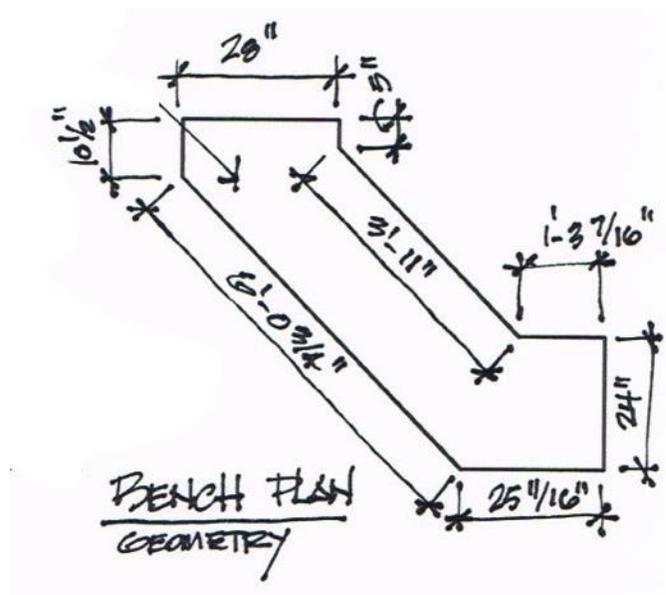
Two pigmented concrete benches with mosaic accents embedded. The benches will be integrated into the planters located at the buildings's main entrance.

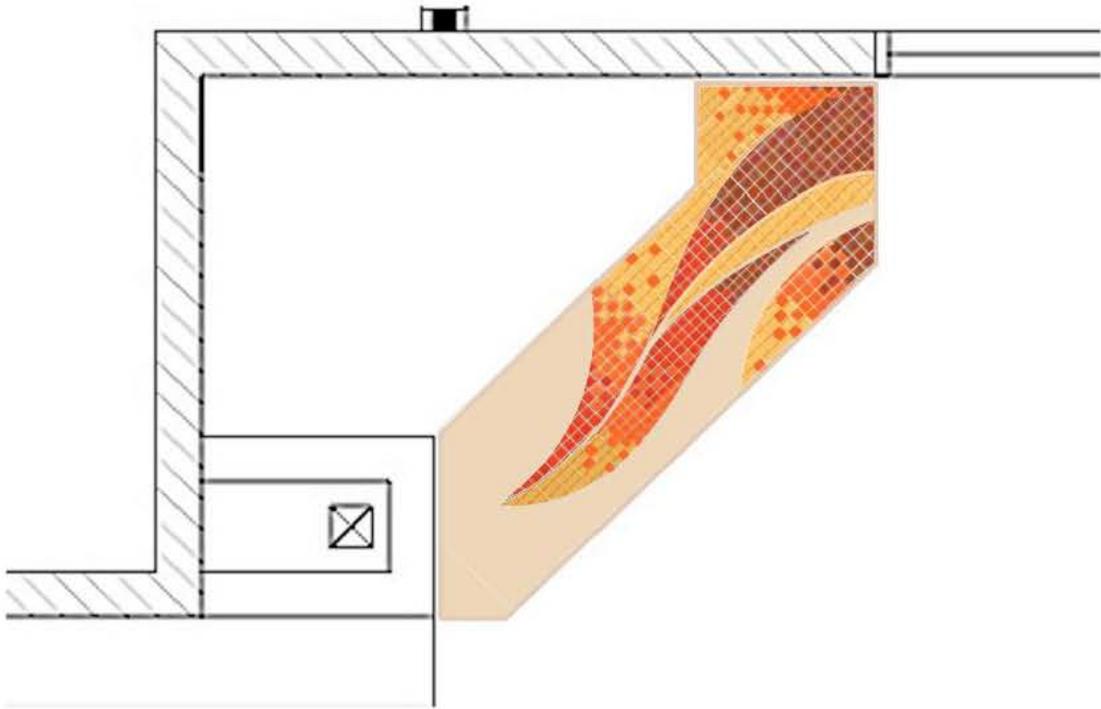
The benches are protected from outdoor elements by being under the cover of the Porte-Cochere. The main structural supports for the benches have been integrated into the structural walls of the building, which provides for Public Safety. These benches cannot fall over or be relocated/repositioned to become a hindrance to the entrance/exit path at the front entry doors of the building.

As per ADA requirements, the bench's seat area would be 20 inches above finish floor elevation, the depth from front to back would be 24 inches.

The tile/ceramic/glass mosaics would be in warm colors as seen in the images, their top surfaces would be sand blasted as well as the rest of the concrete surface/seat area with a fine grit media so as to assure a slip-resistant surface so as to comply with ADA 4.37.7.

Materials: Pigmented concrete, mosaic tiles.





IMPLEMENTATION TIMELINE

Sample Timeline from date of acceptance

ARTWORK INSTALLATION SCHEDULE

1 week from date of approval	Shipping of benches
2 weeks later	Benches installation complete
2 months from date of approval	Transportation of sculpture
1 week later	Sculpture installation complete

ESTIMATE OF PUBLIC ART VALUE / BUDGET

Preliminary estimate of public art commitment calculated with 1% of the building permit valuation (construction cost) for the total project, including all phases of a multi-phase project.

Total Required 1% for Public Art Budget \$27,410 (TOV provided assessment)

SAACA Administration Fee	\$ 1,500
Artist Selection (Request for Proposals)	\$ 600
Total Artist Budget	\$24,870
Other Developer Costs (Drawings and Staff, etc)	<u>\$ 1,000</u>
Redesigned corner planters to integrate Public Art Bench Seat with raised planter and basin (SKA-10)	\$ 1,250
Supplemental Materials - Public Art documentation, meetings, written narratives, created misc. drawings for submission package	\$ 750
Structural Engineering for footing and wind resistance	\$ 250
TOTAL	\$30,220

ARTIST BREAKDOWN

Concept design	\$500
Materials: Benches:	\$1,250
Sculpture:	\$2,600
Fabrication	\$6,300
Engineering	\$2,000
Insurance	\$1,050
Transportation	\$2,800
Installation	\$1,500
Travel expenses	\$2,370
Project documentation	\$500
Artist fee	\$4,000
TOTAL ARTIST BREAKDOWN / CONTRACT	\$ 24,870

COMPLIANCE STATEMENT / SAFETY

A statement addressing compliance with each of the review criteria specified in the Oro Valley Zoning Code Section 27.3.G (Review Criteria) Provide a narrative depicting the installation of the artwork, how the artwork will be protected, and provide for public safety. Please submit a graphic if necessary.

The proposed artworks shall not hinder public safety. The sculpture will be anchored to a concrete foundation base to insure stability and safety. The benches will be integrated into the planters located at the buildings's main entrance. All elements of this project will be child friendly from the sculpture to the benches. All corners will be smooth and rounded in order to ensure safety to the public.

The main sculpture is inspired by the shapes and colors we find in the Arizona landscape. Its purpose is to enhance and brighten the appearance of the building while adding a welcoming feeling to the property. The main sculpture is comprised of four individual tapered vertical polychromed aluminum pieces attached to each other at the base. As they sprout upwards they coalesce into individual curved forms. Its color palette transitions from red at the base all the way through to gold and copper at the top.

The sculpture has its base and supporting foundation, inside of a curbed and separated landscape island. By doing this the artist has provided for the public safety by not hindering or obstructing any adjacent vehicle traffic circulation, or obscuring vehicle site visibility. The sculpture is not protected from the elements and is designed to withstand harsh weather conditions, as it is fully exposed.

The benches are protected from outdoor elements by being under the cover of the Porte-Cochere. The main structural supports for the benches have been integrated into the structural walls of the building, which provides for Public Safety. These benches cannot fall over or be relocated/repositioned to become a hindrance to the entrance/exit path at the front entry doors of the building. The materials for the benches are pigmented concrete with mosaic accents embedded.

The artworks are distinctive pieces that will integrate with the site components as its design elements will compliment the architectural characteristics of the building. The artworks will be placed in a highly visible location that is not obstructed by trees, shrubs or any other objects.

These artworks will definitely enhance the aesthetic value of the building as they are designed to incorporate the colors and textural elements of the southwest desert as well as the building's color scheme in a contemporary design.

The sculpture will be located inside of a curbed and separated landscape island. This will prevent any potential obstruction from matured plants. It is located in front of the building buffered by sidewalks and the parking area and therefore is protected from any potential obstructions from future construction.

Artist, Cecilia Lueza certifies that the art works are original designs, are unique and have been designed specifically for the Copper Health Nursing Facility. The final design was developed with input from the architectural elements of the Copper Health Nursing Facility building. Thus, creating an art piece(s) that

integrates and complements the architecture of the Copper Health Nursing Facility and the Arizona landscape.

ARTIST(S) BIOGRAPHY

Please note, conformance with the Oro Valley Zoning Code Revised, definition of “artist” must be depicted.

Cecilia Lueza

Florida based artist Cecilia Lueza creates vibrant public art pieces in a varying range of artistic mediums. From traditional media like painting and sculpture- in wood, metal, polyurethane, and fiberglass- to much more recent resources, like mosaic and mural art.

Since 2000 she has been working on a variety of site-specific art projects and public art projects as well as private and public art commissions in many cities throughout the United States. She has proven experience in design concept, fabrication and installation of large-scale exterior artworks. She also has demonstrated the ability to successfully collaborate with government agencies, design teams, architects, art consultants, developers, engineers, and fabricators and bring the job in on time as promised.

Her work is part of many public and private collections in Miami, Fort Lauderdale, Indianapolis, Washington DC, Rockville MD, Chattanooga TN, Pensacola FL, among others. In the last year she completed three public art pieces in Washington DC , Miami, and Atlanta.

Art Samples / Previous Works







Conceptual Public Art Conceptual Design Review Board Staff Report

ATTACHMENT 3

CASE NUMBER: OV514-002
MEETING DATE: October 14, 2014
AGENDA ITEM: 4
STAFF CONTACT: Rosevelt Arellano, Planner
rarellano@orovalleyaz.gov (520) 229-4817

Applicant: Terry McNellis, Copper Sands
Request: **Conceptual Public Art for Copper Health Skilled Nursing Facility**
Location: Northwest corner of Sun City and Rancho Vistoso Boulevards
Recommendation: Approve requested Public Artwork with conditions

SUMMARY:

The applicant proposes public art for the Copper Health Skilled Nursing Facility (formerly known as Villa Fatima), currently under construction at the northeast corner of Rancho Vistoso and Sun City Boulevards (see Attachment 1). To meet the public art requirement, the previous owner obtained approval for public art in 2010, which was not installed. The new owners preferred a different style of art and therefore a new application is required.

To replace the previous artwork, the applicant has completed a Call for Artist Process and has hired artist, Cecilia Lueza, to install three pieces of art. The proposed artworks consist of one (1) freestanding sculpture and two (2) mosaic benches. The proposed sculpture is entitled "Desert Rose" and is created from poly-chrome aluminum. The proposed benches are untitled and are created from concrete and tile, ceramic and glass mosaic pieces. The proposed artworks are located near the main building entrance which faces an open space area. A site plan showing the proposed art locations is included as Attachment 2.

The applicant's description of the proposed artworks is provided as Attachment 3.

BACKGROUND / DETAIL INFORMATION:

Previous Approvals:

- 2010: Development Plan and original Conceptual Public Art
- 2014: Revised Development Plan

Request Details:

- Install one (1) freestanding sculpture in parking island

- Name: "Desert Rose"
- Dimensions: 14' x 4' (height and width)
- Materials: poly-chromed aluminum with a clear finish
- Colors: Transitioning colors from red to gold to copper
- Total cost: \$28,970
- Install two (2) mosaic benches as planters under porte-cochere
 - Name: untitled
 - Dimensions: 20" x 9' x 2' (height, length and width)
 - Materials: concrete and tile/ceramic/glass mosaics
 - Colors: Various shades of red, orange and brown
 - Total cost: \$1,250
- Building permit valuation: \$2,741,000
- Required art budget: \$27,410
- Proposed art budget: \$30,220

DISCUSSION / ANALYSIS:

The Copper Health Skilled Nursing Facility is a partially constructed development consisting of a 23,000 sq. ft. building. The project is nearing completion and the proposed art is necessary to meet the Town's 1% Public Art requirement. This public art is the first to utilize the Town's new Call for Artist process, established in January, 2014. The applicant completed the Call for Artist process, and received over 40 public art applications from both local and national artists. The final public art contract was awarded to Florida based artist, Cecilia Lueza,

The proposed artworks have been evaluated with the Design Principles and Design Standards in the Zoning Code as provided below.

Design Principle Analysis

The Design Principles contained in Section 27.3.H provide the primary guidance for evaluating Public Art. Principles are shown below in italics, followed by staff commentary.

Quality: Artwork demonstrates originality, artistic quality, and excellence in design and craftsmanship; to be demonstrated through renderings, explanation of construction, materials, and artist resume.

Staff Commentary: The applicant indicates that the proposed artworks are original pieces designed to withstand the desert environment. The proposed benches are located under a porte-cochere and will be protected from the harsh desert environment. The proposed sculpture will be exposed to rain and sun because it is located in a parking island.

Response to Context: Artworks should be appropriate in scale, material, form and content for the immediate and general social and physical environments with which they are to relate.

Staff Commentary: The applicant indicates that the proposed artworks are inspired by the colors and shapes of the Sonoran desert and are designed with linear curves and warm, transitioning colors which resemble desert flora and warm weather climate. The 14' height of the sculpture is appropriate in scale with the single-story nursing facility. The desert inspired theme is appropriate and relates to the Sonoran Desert and context of the natural area.

Durability: Consideration should be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, and excessive maintenance and repair costs.

Staff Commentary: The location and construction of the proposed artworks reduce the chance of being vandalized and stolen for the following reasons:

- The proposed artworks are located in front of the main building entrance where surveillance is generally higher than other parts of the site.
- The proposed artworks are securely mounted to a concrete base or structural walls of the building.

To ensure durability, a condition has been added requiring that the proposed artworks are treated with a protective sealing solution (i.e. rust treatment and weather seal).

Integration: Where possible, in addition to meeting aesthetic requirements, artworks should also serve to establish focal points, modify, enhance or define specific spaces or establish identity.

Staff Commentary: The proposed mosaic benches will be integrated into the front of the building as planters near the front entrance to the facility. The proposed sculpture is fourteen (14') tall and is located in the front parking lot on the main drive aisle. Due to the height of the sculpture and location of all three artworks at prominent locations, the proposed art will create a focal point and sense of arrival for patients and visitors.

Safety: Artworks should not present a hazard or create unsafe conditions.

Staff Commentary: The proposed artworks will not negatively impact public safety for the following reasons:

- The proposed artworks will have smooth and rounded edges.
- The proposed sculpture will be installed in an area of the parking island which does not affect driver visibility (i.e. not within a sight visibility triangle).
- To better serve the skilled nursing facility, the proposed benches will be slip-resistant and designed to meet the dimensional requirements of the American Disability Act.

Diversity: Artworks should contribute to a diversity of style, scale, media, artists, community values and forms of expression within the Town.

Staff Commentary: The proposed artworks are designed with linear curves and warm, transitioning colors which resemble the desert flora and warm weather climate. Due to their unique materials, colors and designs, the proposed artworks will add to the diversity and style of public art and do not duplicate other artworks found in the Town.

Visibility: Artworks should be visible and accessible for the purposes of public enjoyment and security, considering pedestrian and vehicular traffic, lighting, active hours on site and future development and vegetation growth.

Staff Commentary: The proposed art will be visible to the public because they are located outside and near the front building entrance. Due to its height, visibility of the proposed

sculpture will not be obscured by the surrounding landscaping which consists of small shrubs, accents and ground cover plants.

Feasibility: Consideration should be given to the likelihood of successful completion of the artwork. Factors to be considered include but are not limited to: project budget, timeline, artist's experience and soundness of materials.

Staff Commentary: The proposed artworks will likely be installed because the project is nearing completion, and the public art is required prior to the issuance of a Final Certificate of Occupancy.

Advertising Elements: Public art shall not reflect or include advertising elements of a business or corporation including colors, graphics, logos or other representations of corporate identity

Staff Commentary: The proposed artworks do not contain elements of corporate advertising. To better recognize the Town's public art collection, a condition requiring a small metal plaque containing the artist's name, name of the artwork, installation date and recognition of the Town's Public Art requirement has been added.

Design Standards Analysis

The Design Standards contained in Addendum "A" provide the secondary guidance for evaluating Conceptual Public Art. The Design Standard below is shown in italics, followed by staff commentary.

Public art shall be integrated into the overall design of the project and shall be located in areas of high visibility and use such as courtyards, seating areas, and along public roadways.

Staff Commentary: The proposed artworks will be located at the front of the building and in areas of high visibility. Due to their height and/or location, the proposed artworks will be highly visible, meeting the above Design Standard.

SUMMARY / CONCLUSION

The applicant's request includes the installation of one (1) metal sculpture and two (2) mosaic benches. In staff's opinion, the proposed artworks are well suited for the site based on its relation to the project design and natural context. The proposed art meets the public art principles and the 1% construction cost of the building permit valuation.

RECOMMENDATION:

Based on the following findings:

- The request is consistent with the Design Principles and Design Standards.

It is recommended that the Conceptual Design Review Board take the following action:

Recommend approval to the Town Council of the requested Conceptual Public Art under case OV514-002, subject to the condition below.

SUGGESTED MOTIONS:

I move to recommend approval of the Conceptual Public Art for the Copper Health Skilled Nursing Facility, based on the finding that the proposed public artworks are consistent with the Design Principles and Design Standards, subject to the conditions in Attachment 4.

OR

I move to recommend denial of the Conceptual Public Art for the Copper Health Skilled Nursing Facility, as it does not meet _____.

ATTACHMENTS:

1. Location Map
2. Site Plan
3. Application
4. Conditions of approval



Bayer Vella, Planning Manager

**MINUTES
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD
REGULAR SESSION
OCTOBER 14, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Eggerding called the Regular Session of the Conceptual Design Review Board at 6:00 PM.

ROLL CALL

PRESENT: Richard Eggerding, Chairman
Bruce Wychoff, Vice Chairman
Sarah Chen, Member
Nathan Basken, Member
Jacob Herrington, Member
Harold Linton, Member

ABSENT: Kit Donley, Member

ALSO PRESENT: Lou Waters, Vice Mayor
Joe Hornat, Councilmember

CALL TO AUDIENCE -

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Vice Mayor, Lou Waters, updated the Board on the following Town Council items:

- Modified Review Process associated with the ESLO ordinance, in regards to the Olson Property Rezoning

Member Linton arrived to the meeting.

REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE SEPTEMBER 9, 2014 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Bruce Wychoff, Vice Chairman and seconded by Harold Linton, Member to approve the September 9, 2014 regular session meeting minutes.

MOTION carried, 6-0.

2. REQUEST FOR APPROVAL OF SIGN REGULATIONS FOR OUTDOOR ADVERTISING FOR PLACITA DE ORO LOCATED AT TANGERINE ROAD AND FIRST AVENUE, OV314-002

Patty Hayes, Senior Planning Technician, presented the following:

- Applicant's Proposal
- Placita De Oro
- Wall Sign Colors
- Wall Sign Color Change
- Monument Sign Changes
- Monument Sign Location
- Summary and Recommendation

Mary Bahmer, with Addisigns, representing the Management Group for Placita De Oro, presented the following:

- Narrative
- Monument Signs
- Existing Monument Signs - Street View
- Site Plan

MOTION: A motion was made by Sarah Chen, Member and seconded by Jacob Herrington, Member to recommend approval of the Placita De Oro Sign Criteria based on the finding that the proposed Sign Criteria is consistent with the Design Principles.

MOTION carried, 6-0.

3. REQUEST FOR APPROVAL OF CONCEPTUAL MODEL HOME ARCHITECTURE FOR LENNAR HOMES AT RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL N LOCATED AT THE SOUTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE, OV1314-007

Patty Hayes, Senior Planning Technician, presented the following:

- Applicant's Proposal

- Plan 3575 - 3563
- Side Elevations
- Rear Elevations
- Vicinity Map
- Context: Nearby Homes
- Summary and Recommendation

Kevin Tarbox and James Knight, with Lennar Homes, reviewed points from staff's presentation and made themselves available to answer questions.

MOTION: A motion was made by Jacob Herrington, Member and seconded by Nathan Basken, Member to approve the Conceptual Model Home Architecture Design for Lennar Homes at Rancho Vistoso Neighborhood 10 Parcel N based on the finding that the request is consistent with the Design Principles and Design Standards.

MOTION carried, 5-1 with Harold Linton, Member opposed.

4. REQUEST FOR APPROVAL OF CONCEPTUAL PUBLIC ART FOR THE COPPER HEALTH SKILLED NURSING FACILITY, LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO AND SUN CITY BOULEVARDS, OV514-002

Rosevelt Arellano, Planner, presented the following:

- Location Map
- Copper Health Skilled Nursing
- Previously Approved Artwork
- Artwork Location
- Proposed Benches
- Review Tools
- Summary/Recommendation

Mary Elka, from Copper Health Oro Valley, representing the owner, presented the following:

- Selection Process
- Cecilia Lueza - Artist
- Sculpture Description/Characteristics
- Desert Rose
- Benches
- Location
- Artwork Installation Schedule/Sample
- Estimated of Public Art Value/Budget
- Artist Breakdown
- Compliance Statement

MOTION: A motion was made by Nathan Basken, Member and seconded by Sarah Chen, Member to recommend approval of the Conceptual Public Art for the Copper Health Skilled Nursing Facility, based on the finding that the proposed public artworks are consistent with the Design Principles and Design Standards, subject to the conditions in Attachment 4.

Copper Health Senior Care Facility
Conceptual Public Art
Conditions of Approval

1. The proposed artworks shall be treated with a protective sealing solution to ensure durability.
2. The applicant shall install a small metal plaque containing the artist's name, name of the artwork, installation date, and recognition of the Town's Public Art requirement.

MOTION carried, 6-0.

PLANNING UPDATE (INFORMAITONAL ONLY)

Chad Daines, Principal Planner, presented the following:

- Update on Stone Canyon Club House approval from Town Council
- Upcoming Community Academy
- Upcoming neighborhood meetings

ADJOURNMENT

MOTION: A motion was made by Bruce Wychoff, Vice Chairman and seconded by Jacob Herrington, Member to adjourn the October 14, 2014 Conceptual Design Review Board meeting at 6:41 PM.

MOTION carried, 6-0.



Town Council Regular Session

Item # 1.

Meeting Date: 11/19/2014

Requested by: Julie Bower **Submitted By:** Mike Standish, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ALL THE BUZZ CAFE LOCATED AT 12985 N. ORACLE ROAD, SUITE 165

RECOMMENDATION:

Staff recommends approval of this liquor license to the Arizona Department of Liquor Licenses and Control for the following reasons:

1. No protests to this license have been received.
2. The necessary background investigation was conducted by the Police Department.
3. The Police Department has no objection to the approval of the Series 12 Liquor License.

EXECUTIVE SUMMARY:

An application for a new Series 12 (Restaurant) Liquor License has been submitted by Owner/Agent Cathy Roberts for All the Buzz Cafe located at 12985 N. Oracle Road, Suite 165.

Ms. Roberts has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control and has paid all related fees associated with applying for the liquor license (\$500 Application Processing Fee).

BACKGROUND OR DETAILED INFORMATION:

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending November 5, 2014. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on All the Buzz Cafe and Owner/Agent Cathy Roberts. Chief Sharp has no objection to the approval of the Series 12 (Restaurant) License.

FISCAL IMPACT:

Per Ordinance No. (O)11-16, the Town of Oro Valley charges a \$500 liquor license application processing fee to cover the costs incurred by the Town to process the application.

Per Section 8-2-6 Schedule of the Oro Valley Town Code, persons licensed by the State of Arizona to deal in spirituous liquor within the Town shall pay an annual license fee of \$80.00 to the Town.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Cathy Roberts and principals for All the Buzz Cafe located at 12985 N. Oracle Road, Suite 165.

Attachments

All the Buzz Cafe Series 12 Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish
FROM:  Daniel G. Sharp
DATE: Nov 1, 2014
RE: Background Investigation, Application for Liquor License
All the Buzz Cafe
12985 N Oracle Road #165

On Nov 1, 2014, the Oro Valley Police Department completed the standard background check on All the Buzz Cafe and Owner/Agent Cathy Roberts.

The Oro Valley Police Department has no objection for the issuance of a liquor license to All the Buzz Cafe at 12985 N. Oracle Road # 165.

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)
Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) _____

14 SEP 30 04:17 PM 1114

SECTION 3 Type of license and fees LICENSE #(s):

12104340

1. Type of License(s): #12 Restaurant

2. Total fees attached:

\$ 172.00 Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

- 1. Owner/Agent's Name: Mr. Roberts Cathy Michelle
(Insert one name ONLY to appear on license) Last First Middle
- 2. Corp./Partnership/L.L.C.: ALA Buzz Cafe, LLC B1053255
(Exactly as it appears on Articles of Inc. or Articles of Org.)
- 3. Business Name: ALL THE BUZZ CAFE
(Exactly as it appears on the exterior of premises)
- 4. Principal Street Location: 12985 N. ORACLE RD. STE #165 Tucson, AZ 85739
(Do not use PO Box Number) Cell City County Zip
- 5. Business Phone: 520-825-2058 Daytime Phone: 520-561-6882 Email: Cathy@allthebuzzcafe.com
- 6. Is the business located within the incorporated limits of the above city or town? YES NO
- 7. Mailing Address: 12985 N. ORACLE RD STE #165 Tucson, AZ 85739
City State Zip
- 8. Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY

Fees: 100- Application — Interim Permit 50- Site Inspection 22 Finger Prints \$ 172.- TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: DW Date: 10/8/14 Lic. # 12104340

License Type: Series 12 Restaurant

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.



Town Council Regular Session

Item # **2. a.**

Meeting Date: 11/19/2014
Requested by: Patty Hayes
Submitted By: Patty Hayes, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)14-57, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 28.6.B., RELATING TO TEMPORARY ROADWAY CONSTRUCTION SIGNS, PROVIDED AS ATTACHMENT 1, EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK'S OFFICE, A PUBLIC RECORD

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

This is a procedural item to declare the draft ordinance a matter of public record. The draft ordinance has been posted online and made available in the Town Clerk's office. If the final version is adopted and approved by Town Council, it will be made available in the same manner.

BACKGROUND OR DETAILED INFORMATION:

Once adopted by Town Council, this proposed resolution will become a public record and will save the Town on advertising costs since the Town will forgo publishing the entire draft ordinance in the newspaper. The current version of the draft ordinance has been posted on the Town's website and a printed copy is available for public review in the Town Clerk's office. Once adopted, the final version will be published on the Town's website.

FISCAL IMPACT:

The Town will save on advertising costs by meeting publishing requirements by reference, without including the pages of amendments.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)14-57, declaring the proposed amendments to the Oro Valley Zoning Code Revised Section 28.6.B, attached hereto as Attachment 1, Exhibit "A" and filed with the Town Clerk, a public record.

Attachments

(R)14-57 Amending Section 28.6.B.

RESOLUTION NO. (R)14-57

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TO BE PLACED WITHIN CHAPTER 28, "SIGNS", SECTION 28.6.B.7, OF THE ORO VALLEY ZONING CODE REVISED AND ENTITLED THE "ROAD CONSTRUCTION SIGN";, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document of the Oro Valley Town Code, entitled Chapter 28, "Signs", Section 28.6.B.7, "Road Construction Sign" is attached hereto as Exhibit "A", three copies of which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 19th day of November, 2014.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

7. ROAD CONSTRUCTION SIGN

- A) DEFINITION: TEMPORARY SIGNAGE TO ENHANCE VISIBILITY OF PROPERTIES WITH COMMERCIAL, MULTI-FAMILY OR RELIGIOUS INSTITUTIONS DURING ROAD CONSTRUCTION PROJECTS.
- B) APPLICABILITY: AREAS THAT WILL BE DIRECTLY IMPACTED BY A ROAD CONSTRUCTION PROJECT AS DETERMINED BY THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR.
- C) TYPE:
 - I. SIGN MAY BE A BANNER OR RIGID MATERIAL SUCH AS WOOD, METAL OR SIMILAR MATERIAL.
 - II. SINGLE OR DOUBLE FACED.
 - III. COPY MAY BE MODIFIED AFTER ISSUANCE OF PERMIT WITHIN THE PARAMETERS SET FORTH IN THE CODE.
 - IV. ANY CHANGE IN SIGN LOCATION WILL REQUIRE A NEW PERMIT.
 - V. SIZE OF COPY MUST BE APPROVED BY THE TOWN ENGINEER TO ASSURE SAFETY.
- D) QUANTITY:
 - I. ONE SIGN FOR THE COMMERCIAL PROPERTY PER STREET FRONTAGE IMPACTED BY THE ROAD CONSTRUCTION.
 - II. IF FRONTAGE IS GREATER THAN 600 FEET AND THERE IS MORE THAN 1 ENTRANCE TO THE DEVELOPMENT, A SECOND SIGN IS PERMITTED.
 - III. IF FRONTAGE IS GREATER THAN 800 FEET, ONE ADDITIONAL SIGN MAY BE INSTALLED.
- E) AREA OF SIGN:
 - I. 32 SQUARE FEET FOR A COMMERCIAL PROPERTY WITH 1 TO 4 OWNERS OR BUSINESS LESSEES.
 - II. 64 SQUARE FEET FOR A COMMERCIAL PROPERTY WITH 5 OR MORE OWNERS OR BUSINESS LESSEES.
- F) HEIGHT: 10'
- G) LOCATION: ON PRIVATE PROPERTY WHERE THE BUSINESS IS LOCATED.
- H) SETBACK: NONE, UNLESS ADDITIONAL AREA IS REQUIRED FOR UTILITY OR ROAD WORK. TOWN ENGINEER MUST DETERMINE IF PROPOSED LOCATION IS SAFE AND DOES NOT INTERFERE WITH CONSTRUCTION.

- I) ILLUMINATION: NONE
- J) COLOR: LETTERING AND BACKGROUND MAY BE ANY COLOR EXCEPT FLUORESCENT OR IRIDESCENT.
- K) DURATION: LENGTH OF TIME THE SIGN IS PERMITTED WILL BE DETERMINED BY THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR AND SHALL NOT EXCEED SUBSTANTIAL COMPLETION OF THE ROAD CONSTRUCTION PROJECT.
- L) THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR SHALL BE PERMITTED TO ADMINISTRATIVELY APPROVE MODIFICATIONS TO ROAD CONSTRUCTION SIGNAGE IF EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED:
 - I. THERE ARE UNIQUE CIRCUMSTANCES DUE TO ROAD DESIGN OR CONSTRUCTION.
 - II. THE PROPOSED CHANGES DO NOT HAVE A GREATER OVERALL IMPACT THAN THE ALLOWED SIGN TYPE.
 - III. THE PROPOSED CHANGES ARE BASED ON EXISTING STANDARDS FROM AN ALLOWED SIGN TYPE IN THE ZONING CODE.



Town Council Regular Session

Item # **2. b.**

Meeting Date: 11/19/2014
Requested by: Patty Hayes
Submitted By: Patty Hayes, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-14, AMENDING SECTION 28.6.B OF THE ORO VALLEY ZONING CODE TO ADD A NEW TEMPORARY SIGN TYPE FOR BUSINESSES LOCATED WITHIN ROAD CONSTRUCTION AREAS

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the proposed revision depicted in Attachment 1, Exhibit "A".

EXECUTIVE SUMMARY:

Businesses located near a road construction project often have difficulty maintaining adequate identification through the duration of a road project due to the lack of opportunities in the Sign Code. In the past, business owners concerned about the impact of road construction would request special sign relief from Town Council. This process caused significant delays in obtaining approvals for special signage, thus causing greater financial hardship to the business.

This proposed amendment would add a new sign type to the Zoning Code which could be utilized by businesses impacted by road construction projects. The amendment would provide the affected businesses the ability to obtain a temporary sign permit through standard permitting processes. The permit would allow the sign to remain on the property until substantial completion of the road project.

The amendment was initiated by the Planning and Zoning Commission on October 7, 2014. The Commission considered the amendment at a special session on October 21, 2014, and has recommended approval.

BACKGROUND OR DETAILED INFORMATION:

Existing Sign Code Provisions:

The current Sign Code allows a business to display a 16 square foot banner for a period of 30 days for seasonal events and promotions. These 30 day temporary banners can be displayed up to 4 times a year for a total of 4 months.

A road construction project could possibly take up to 2 years to complete and may obscure business access and limit visibility of signage during that time. The Code does not have the sign type available to accommodate the affected businesses through the entire duration of a road project.

Proposed Amendment

The proposed sign type would allow a business to install a larger temporary sign and allow it to remain until substantial completion of the adjacent road project.

Applicability:

Commercial and multi-family properties or religious institutions directly impacted by a road construction project would be the only properties allowed to utilize the proposed sign type.

Zoning Code Amendment Analysis:

The proposed road construction sign standards relative to size, height, quantity and location are consistent with those currently in the temporary and permanent sign regulations of the code.

Customized elements were created for this sign type, such as setback and duration, in order to ensure signs are installed in locations that do not create safety hazards and can remain on the property for a period of time that benefits the affected businesses.

Below is a table comparing the current temporary sign allowances for special events to the proposed new sign type:

Details	Currently Allowed	Proposed Sign Type
Sign Type	Temporary Sign for Special Event	Temporary Sign for Road Construction
Material	Banner	Banner or ridged material*
Location	On private property	On private property
Setback	None	None**
Sign Area (size)	16 sq ft	32 sq ft or 64 sq ft***
Height	4'	10'
Quantity	1 per business per street frontage	1 per property 2 for properties with greater than 600' frontage 3 for properties with greater than 800' of frontage
Duration	30 days for each permit for a Maximum of 4 times per year	Until substantial completion of road project as determined by the Town Engineer and Planning Administrator
Permit Fees	\$50.00 for every 30 day permit. Yearly total of \$200.00	\$50.00 per each sign

*Business owners could choose to use banner material or ridged materials such as wood, metal or plastic.

**Additional setback could be required if an area of land is required to be kept clear for utility installation or road construction.

***32 sq ft for a property occupied by 1 to 4 owners or business lessees.

64 sq ft for a property occupied by 5 or more owners or business lessees.

The new sign type also includes a provision which allows the Planning and Zoning Administrator and Town Engineer latitude to review and approve alternatives to the proposed sign standards. This provision allowing for a modification will enable the Town to recognize unique situations that could occur with each road construction project and customize the standards subject to the criteria provided in section 7.L of Attachment 1, Exhibit A.

General Plan Analysis

The Zoning Code amendment was reviewed with the standards of the General Plan's Vision, Goals and Policies. Listed below are relevant policies within the General Plan relating to signage in italics, followed by staff commentary:

Signage: Signage controls have to balance citizens concerns about the increasing level of signage with the needs of businesses to attract customers.

Policy 2.1.10: The Town shall create standards for signage to provide information and direction to allow businesses to attract and maintain customers with the least intrusive signage possible.

The proposed sign type addition will allow additional signage for businesses during a time when they may otherwise be unable to effectively utilize existing signage. Specific standards were included in the new sign type to prevent an over-concentration of signs, which includes limits on duration, location, quantity and size of signs. The proposed amendment is consistent with the General Plan policies.

Planning and Zoning Commission Review:

The amendment was initiated by the Planning and Zoning Commission on October 7, 2014, and heard by the Commission on October 21, 2014. The main topics discussed at the meeting included sign locations and the size of lettering. At the conclusion of the public meeting, the Commission voted to recommend approval of the amendment. The Planning and Zoning Commission staff report is included as Attachment 2 and the draft minutes are included as Attachment 3.

Public Notification and Comment

Public notice has been provide as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:
 - In the Territorial newspaper
 - At Town hall
 - On the Town website

To date, staff has received one letter in support of the amendment (Attachment 4).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE Ordinance No. (O)14-14, an amendment to Section 28.6.B of the Oro Valley Zoning Code adding a new temporary sign type for businesses located in areas of road construction.

OR

I MOVE to DENY Ordinance No. (O)14-14, an amendment to Section 28.6.B of the Oro Valley Zoning Code for a new temporary sign type for businesses located in areas of road construction.

Attachments

(O)14-14 Adding Section 28.6.B Temporary Signs

Planning & Zoning Commission Report

Planning & Zoning Commission Draft Minutes

Letter from Citizen

ORDINANCE NO. (O)14-14

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY ZONING CODE REVISED, CHAPTER 28, SIGNS, BY ADDING NEW SUBSECTION 28.6.B.7 “ROAD CONSTRUCTION SIGN”; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised (OVZCR); and

WHEREAS, the Town deems it necessary to amend the Oro Valley Zoning Code Revised, Chapter 28, “Signs”, by adding Section 28.6.B.7 “Road Construction Sign” to allow a special sign type for commercial, religious institutions and multi-family properties during road construction; and

WHEREAS, the Planning and Zoning Commission held a meeting on October 21, 2014, and voted to recommend approval of amending Chapter 28 Signs, Section 28.6.B.7, Road Construction Sign; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. That certain document entitled Chapter 28, Signs, Section 28.6.B.7, Road Construction Sign, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit “A” to allow a special sign type for commercial, religious institutions and multi-family properties during road construction is hereby approved.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 19th day of November, 2014.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

7. ROAD CONSTRUCTION SIGN

- A) DEFINITION: TEMPORARY SIGNAGE TO ENHANCE VISIBILITY OF PROPERTIES WITH COMMERCIAL, MULTI-FAMILY OR RELIGIOUS INSTITUTIONS DURING ROAD CONSTRUCTION PROJECTS.
- B) APPLICABILITY: AREAS THAT WILL BE DIRECTLY IMPACTED BY A ROAD CONSTRUCTION PROJECT AS DETERMINED BY THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR.
- C) TYPE:
 - I. SIGN MAY BE A BANNER OR RIGID MATERIAL SUCH AS WOOD, METAL OR SIMILAR MATERIAL.
 - II. SINGLE OR DOUBLE FACED.
 - III. COPY MAY BE MODIFIED AFTER ISSUANCE OF PERMIT WITHIN THE PARAMETERS SET FORTH IN THE CODE.
 - IV. ANY CHANGE IN SIGN LOCATION WILL REQUIRE A NEW PERMIT.
 - V. SIZE OF COPY MUST BE APPROVED BY THE TOWN ENGINEER TO ASSURE SAFETY.
- D) QUANTITY:
 - I. ONE SIGN FOR THE COMMERCIAL PROPERTY PER STREET FRONTAGE IMPACTED BY THE ROAD CONSTRUCTION.
 - II. IF FRONTAGE IS GREATER THAN 600 FEET AND THERE IS MORE THAN 1 ENTRANCE TO THE DEVELOPMENT, A SECOND SIGN IS PERMITTED.
 - III. IF FRONTAGE IS GREATER THAN 800 FEET, ONE ADDITIONAL SIGN MAY BE INSTALLED.
- E) AREA OF SIGN:
 - I. 32 SQUARE FEET FOR A COMMERCIAL PROPERTY WITH 1 TO 4 OWNERS OR BUSINESS LESSEES.
 - II. 64 SQUARE FEET FOR A COMMERCIAL PROPERTY WITH 5 OR MORE OWNERS OR BUSINESS LESSEES.
- F) HEIGHT: 10'
- G) LOCATION: ON PRIVATE PROPERTY WHERE THE BUSINESS IS LOCATED.
- H) SETBACK: NONE, UNLESS ADDITIONAL AREA IS REQUIRED FOR UTILITY OR ROAD WORK. TOWN ENGINEER MUST DETERMINE IF PROPOSED LOCATION IS SAFE AND DOES NOT INTERFERE WITH CONSTRUCTION.

- I) ILLUMINATION: NONE
- J) COLOR: LETTERING AND BACKGROUND MAY BE ANY COLOR EXCEPT FLUORESCENT OR IRIDESCENT.
- K) DURATION: LENGTH OF TIME THE SIGN IS PERMITTED WILL BE DETERMINED BY THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR AND SHALL NOT EXCEED SUBSTANTIAL COMPLETION OF THE ROAD CONSTRUCTION PROJECT.
- L) THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR SHALL BE PERMITTED TO ADMINISTRATIVELY APPROVE MODIFICATIONS TO ROAD CONSTRUCTION SIGNAGE IF EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED:
 - I. THERE ARE UNIQUE CIRCUMSTANCES DUE TO ROAD DESIGN OR CONSTRUCTION.
 - II. THE PROPOSED CHANGES DO NOT HAVE A GREATER OVERALL IMPACT THAN THE ALLOWED SIGN TYPE.
 - III. THE PROPOSED CHANGES ARE BASED ON EXISTING STANDARDS FROM AN ALLOWED SIGN TYPE IN THE ZONING CODE.



Zoning Code Amendment Planning and Zoning Commission Staff Report

SUBJECT: Sign Code Amendment **OV714-008**

MEETING DATE: October 21, 2014

AGENDA ITEM:

STAFF CONTACT: Patty Hayes, Senior Planning Technician

Request: Zoning Code Amendment to add a sign type, Road Construction Signs

Location: Commercial, Religious Institutions and Multi-Family (apartments)
Properties

Recommendation: Recommend approval

SUMMARY:

Staff proposes to add a new temporary sign type to the Zoning Code for businesses located in areas of road construction. The new sign type, if approved, would provide businesses impacted by road construction the ability to obtain a temporary sign permit for the duration of the road project, which can take up to 2 years or more to complete.

Currently, the sign code allows a business to obtain a banner permit for a 30 day time period, up to 4 times a year. Due to the time constraints, a business can be left without temporary signage for significant portions of the year when access to their property could be limited and/or their monument signs obscured (Attachment 1). The limited access or visibility to a commercial business, religious institution or apartment complex can create negative impacts to the property and surrounding area by reducing the number of customers who visit the business.

The sign code is intended to provide a balance between the need to promote business, maintain public safety and the Town's aesthetic standards. The proposed sign code amendment (Attachment 2) would add a temporary sign type that could be utilized during times when a commercial business, religious facility or apartment complex is impacted by major road construction projects.

BACKGROUND:

In the past, individual business owners concerned about the impact of road construction would request that Town Council grant temporary relief from the sign code to allow temporary signs in road construction areas. This process causes significant delays in obtaining approvals for special road construction signage, thus causing greater financial hardship.

Currently, the sign code permits temporary banners, which may be erected 4 times per year for 30 days each. The time restrictions on temporary banners leave businesses, who are impacted by road construction, without signs for a significant portion of the year. Such sign allowances also do not provide a business the extended sign relief when warranted. The proposed new sign

type is a proactive solution which will allow the affected properties the opportunity to identify their businesses for the duration of the road construction.

Past Approvals

January 2011: Temporary sign relief for Oracle Road improvement
 November 2012: Temporary sign relief for Lambert Lane road improvements
 August 2014: Temporary sign relief for the Oracle Road improvements

Proposed Changes

The proposed Zoning Code amendment would add a new temporary sign type that would allow businesses adjacent to road construction the ability to obtain a sign permit through standard permit review processes versus the lengthy process of requesting temporary relief through Town Council. The new sign type would be a permanent addition to the code which would allow the Town Engineer and Planning and Zoning Administrator to administratively approve permits in the same manner as other temporary signs.

The proposed sign type, as detailed in Attachment 2, is larger than most temporary signs and could remain on the property for longer periods of time as opposed to the limited time currently allowed in the code as detailed in the table below. The signs could be banner type of sign or a rigid material such as wood or metal.

DISCUSSION / ANALYSIS:

The code allows temporary signs for businesses to advertise special events for limited periods of time. Below is a table comparing the current temporary sign allowances for special events to the proposed amendment:

Details	Currently Allowed	Proposed Sign Type
Sign Type	Temporary Sign for Special Event	Temporary Sign for Road Construction
Material	Banner	Banner or ridged material*
Location	On private property	On private property
Setback	None	None**
Sign Area (s)	16 sq ft	32 sq ft or 64 sq ft***
Height	4'	10'
Quantity	1 per business per street frontage	1 per property 2 for properties with greater than 600' frontage 3 for properties with greater than 800' of frontage
Duration	30 days for each permit for a Maximum of 4 times per year	Until substantial completion of road project as determined by the Town Engineer and Planning Administrator
Permit Fees	\$50.00 for every 30 day permit. Yearly total of \$200.00	\$50.00 per each sign

*Business owners could choose to use banner material or ridged materials such as wood, metal or plastic.

**Additional setback could be required if an area of land is required to be kept clear for utility installation or road construction.

***32 sq ft for a property occupied by 1 to 4 owners or business lessees.
 64 sq ft for a property occupied by 5 or more owners or business lessees.

Standards such as size, height, quantity and location are consistent with those currently in the temporary and permanent sign regulations of the code. For example, the code allows a sign to be installed at a specific height above the ground but also allows the height of the sign to be measured from the grade of the adjacent road if the sign location is lower than the adjacent road.

Customized elements were created for this sign type, such as setback and duration, in order to ensure signs are installed in locations that do not create safety hazards and can remain on the property for a period of time that benefits the affected businesses.

The new sign type also includes a provision which allows the Planning and Zoning Administrator and Town Engineer latitude to review and approve alternatives to the proposed sign standards. Potential for a modification will allow the Town to recognize unique situations that could occur with each road construction project and customize the standards in accordance with details provided section 7.1 of Attachment 2.

All costs associated with purchasing and installing the signs are at the expense of the property owner or business lessee. A sign permit fee will be paid by the applicant upon submittal of the permit application according to the established fee schedule. Currently, the permit fee is \$50.00.

GENERAL PLAN COMPLIANCE

The Zoning Code Amendment was reviewed with the standards of the General Plan's Vision, Goals and Policies. Listed below are relevant policies within the General Plan relating to signage in italics, followed by staff commentary:

Signage: Signage controls have to balance citizens concerns about the increasing level of signage with the needs of businesses to attract customers.

Policy 2.1.10: The Town shall create standards for signage to provide information and direction to allow businesses to attract and maintain customers with the least intrusive signage possible.

Staff comment: The proposed sign type addition will allow additional signage for businesses during a time when they may otherwise be unable to effectively utilize existing signage. Specific standards were included in the new sign type to prevent an overconcentration of signs which includes limits on duration, location, quantity and size of signs.

RECOMMENDATION:

It is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the proposed Zoning Code amendment to Section 28.6.B (Signs in a Commercial/Industrial Zoning District) to provide a special temporary sign type for businesses during road construction.

SUGGESTED MOTIONS:

The Planning and Zoning Commission may wish to consider the following suggested motion:

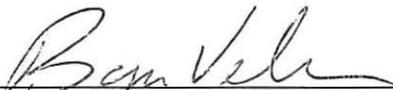
I move to recommend approval of the Zoning Code Amendment to Section 28.6.B to provide a special sign type for commercial, religious institutions and multi-family properties during road construction.

Or

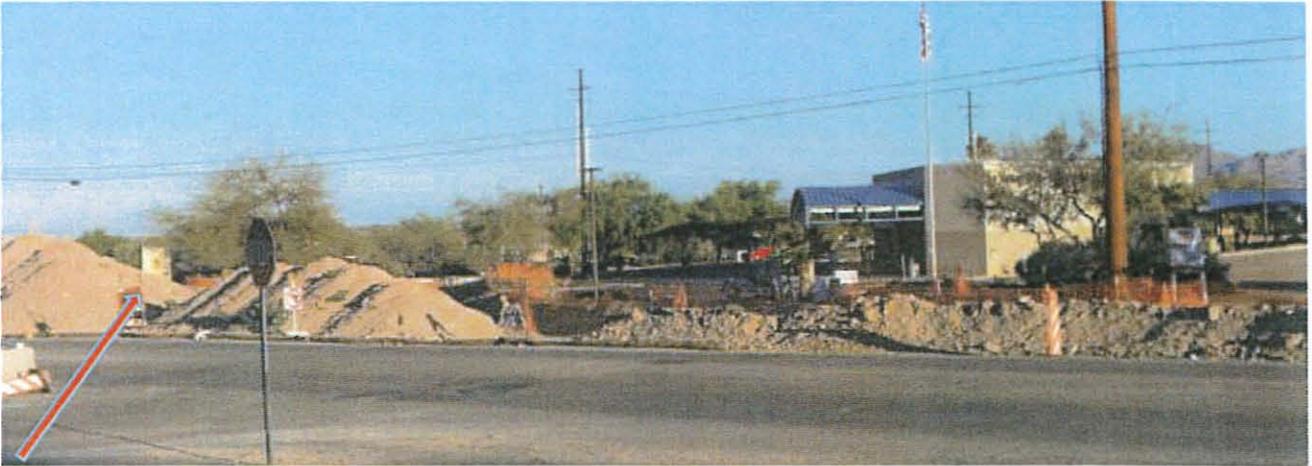
I move to recommend denial of the Zoning Code Amendment to Section 28.6.B to provide a special sign type for commercial, religious institutions and multi-family properties during road construction, as the request does not meet the finding that_____.

ATTACHMENTS:

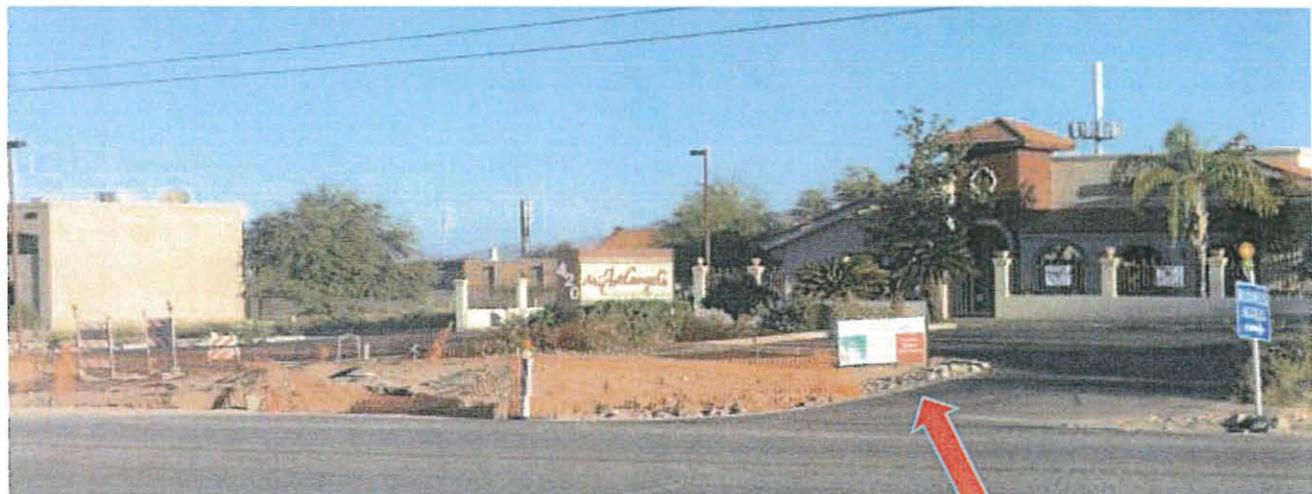
1. Site Photos
2. Proposed Code Amendment
3. Graphic Illustrations



Bayer Vella, Interim Planning Manager



Photos showing how road construction can obscure visibility of business



Example of currently allowed 16 sq. ft. 4' tall banner



Site Photos

Sign Code Amendment(OV714-008)

Attachment 1

Attachment 2

Add new Section 28.6.B.7 as follows:

7. Road Construction Sign

- a) Definition: Temporary signage to enhance visibility of properties with commercial, multi-family or religious institutions during road construction projects.
- b) Applicability: Areas that will be directly impacted by a road construction project as determined by the Town Engineer and Planning and Zoning Administrator.
- c) Type:
 - i. Sign may be a banner or rigid material such as wood, metal or similar material.
 - ii. Single or double faced.
 - iii. Copy may be modified after issuance of permit within the parameters set forth in the code.
 - iv. Any change in sign location will require a new permit.
 - v. Size of copy must be approved by the Town Engineer to assure safety.
- d) Quantity:
 - i. One sign for the commercial property per street frontage impacted by the road construction.
 - ii. If frontage is greater than 600 feet and there is more than 1 entrance to the development, a second sign is permitted.
 - iii. If frontage is greater than 800 feet, one additional sign may be installed.
- e) Area of Sign:
 - i. 32 square feet for a commercial property with 1 to 4 owners or business lessees.
 - ii. 64 square feet for a commercial property with 5 or more owners or business lessees.
- f) Height: 10'
- g) Location: On private property where the business is located.
- h) Setback: None, unless additional area is required for utility or road work. Town Engineer must determine if proposed location is safe and does not interfere with construction.
- i) Illumination: None
- j) Color: Lettering and background may be any color except fluorescent or iridescent.
- k) Duration: Length of time the sign is permitted will be determined by the Town Engineer and Planning and Zoning Administrator and shall not exceed substantial completion of the road construction project.
- l) The Town Engineer and Planning and Zoning Administrator shall be permitted to administratively approve modifications to road construction signage if each of the following criteria have been satisfied:
 - i. There are unique circumstances due to road design or construction.
 - ii. The proposed changes do not have a greater overall impact than the allowed sign type.
 - iii. The proposed changes are based on existing standards from an allowed sign type in the Zoning Code.

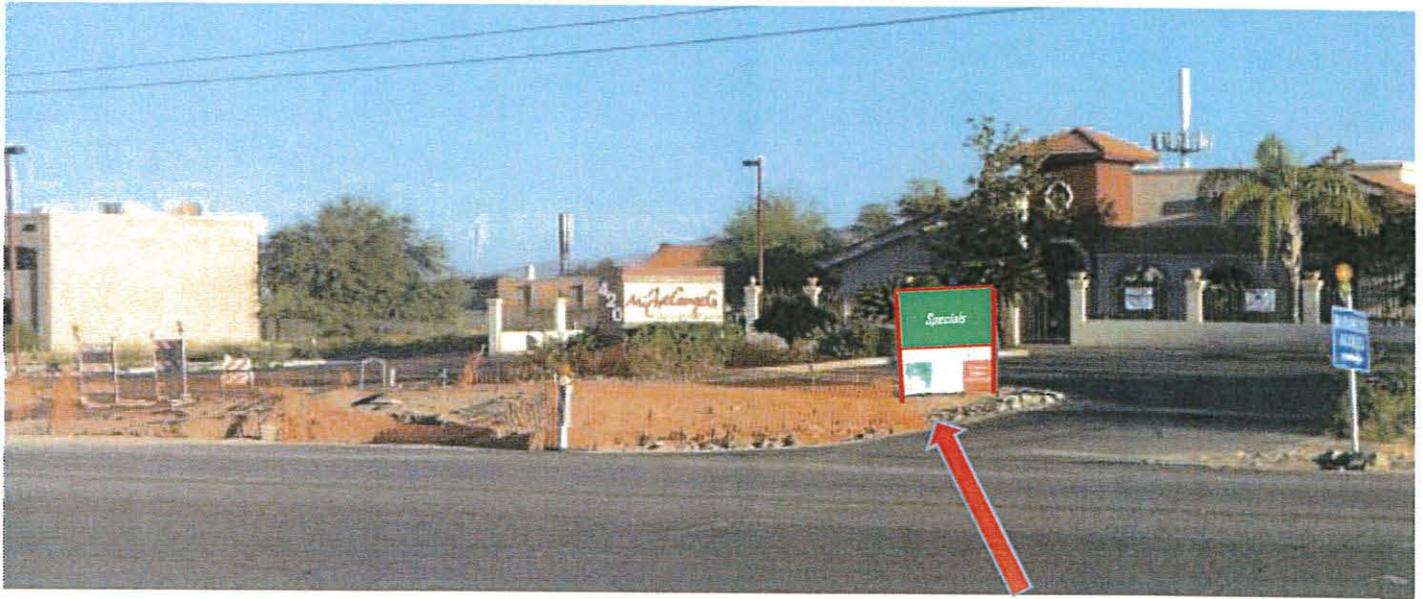


Illustration of how a 32 sq ft, 10' tall banner might look



Photo of temporary sign relief allowance in use.
64 sq ft, 10' tall



Examples of Proposed Sign Type

Sign Code Amendment(OV714-008)

Attachment 3

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
AMENDED AGENDA
October 21, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

SPECIAL SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Cox called the October 21, 2014 session of the Oro Valley Planning and Zoning Commission Special Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice-Chairman
Greg Hitt, Commissioner
Bill Leedy, Commissioner
Frank Pitts, Commissioner
Bill Rodman, Commissioner
Tom Drazazgowski, Commissioner

ALSO PRESENT:

Joe Hornat, Council Member and Council Liaison
David Laws, Permitting Manager

PLEDGE OF ALLEGIANCE

Chairman Cox led the Planning and Zoning Commission members and audience in the Pledge of Allegiance.

CALL TO AUDIENCE -

Bill Adler, Oro Valley resident, expressed his concern with the confusion among citizens on land use over General Plan Designations. Staff and the applicant's need to start using lot size as the reference because the applicant knows how this thing is going to pencil out. Part of our job is education, which is communication with citizens and the need to use one terminology rather than two or three.

COUNCIL LIAISON COMMENTS

Council Member Hornat had no updates to present this evening.

SPECIAL AGENDA

1. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.10.D. OF THE ZONING CODE TO ALLOW THE TOWN ENGINEER DISCRETION TO MODIFY THE DRIVEWAY ACCESS REQUIREMENTS TO ENSURE SAFE DRIVING CONDITIONS, OV714-006

Michael Spaeth, Senior Planner, presented the following:

- Tangerine Road Corridor Overlay District

David Laws, Permitting Manager, presented the following:

- Tangerine Road Widening Project
- Driveway Separation Requirements
- What's the issue?

Michael Spaeth, concluded the presentation with the following:

- Proposed Code Amendment
- Discussion

Chairman Cox opened the public hearing.

There were no speaker requests.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Hitt to recommend approval of the Zoning Code Amendment in Attachment 1 related to the Tangerine Road Corridor Overlay District, based on the finding that the request would allow the Town Engineer to maintain safe driving conditions.

**Attachment 1
Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
October 21, 2014, Planning and Zoning Commission**

Section 27.10.D.3.f.vi.b

Tangerine Road

A tract of not less than twenty-five (25) feet in width for commercial developments located at arterial intersections and fifty (50) feet in width for all other developments

shall be designated on all properties abutting Tangerine Road, measured from the right-of-way. Crossing of the tract with roads, public or private, and driveways (except for emergency vehicle access where required) is prohibited without the approval of ADOT and the Town. ~~and in no case shall such~~ NO direct access crossing SHALL be less than three hundred thirty (330) feet from an arterial intersection or less than one thousand (1,000) feet from another vehicular tract crossing, UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER DUE TO SIGNIFICANT TRAFFIC SAFETY CONCERNS SUPPORTED BY RECOGNIZED TRAFFIC SAFETY ENGINEERING STANDARDS.

MOTION carried, 7-0.

***2. PUBLIC HEARING: REQUEST TO AMEND SECTION 22.5 OF THE ZONING CODE TO UPDATE THE CONDITIONAL USE PERMIT REVIEW CRITERIA AND CONSIDERATION OF THE COORDINATION OF CUP AND REZONING PUBLIC HEARINGS, OV714-007**

Michael Spaeth, Senior Planner, presented the following:

- What is a Conditional Use Permit
- Existing CUP Evaluation Criteria
- Impact of a CUP
- Proposed Code Amendment
- Timing of Rezoning and CUP
- Discussion

Chairman Cox opened the public hearing.

Bill Adler, Oro Valley resident, commented that he has advocated to Town Council on convenience uses and asked that this process be removed. There is no use in the table of conditional and permitted uses that cannot be reviewed adequately during the rezoning process. Staff has the skills and the talent to do this. Mr. Adler's suggestion would be to deny this particular proposal and place it on a future agenda to discuss doing away with conditional use permits.

Don Bristow, Oro Valley resident, expressed concern with words like reasonable. There is a need for a definition beyond reasonable when we are making up our minds about conditional use permits.

Dave Perry, Oro Valley resident, stated that this is deep water for him. Why do conditional use permits need to take so long at the expense of the developer. Maybe put some of the meetings together to reduce meetings. This is a good thing and maybe figure out a way to do that. It's important for us as a community to make our processes simpler, easier to follow, with less meeting times and less subjective. He encouraged developing ways to change this process to accomplish these goals.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Chairman Cox to recommend denial of the Zoning Code Amendment in Attachment 3 related to the Conditional Use Permit review criteria, as the request does not meet the finding that the request would improve the effectiveness of and add specificity to the conditional use permit review criteria.

Chairman Cox withdrew his 2nd.

Vice Chair Buette withdrew his motion.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Commissioner Rodman to continue the Zoning Code Amendment at a future date for further discussion.

Bayer Vella, Planning Manager, requested direction to deliver what is needed.

- Some logical presentation on why we need conditional use permits
- Specificity
- Streamline this process

MOTION carried, 7-0.

3. **PUBLIC HEARING: REQUEST TO AMEND SECTION 28.6.B OF THE ZONING CODE TO ADD A NEW TEMPORARY SIGN TYPE FOR BUSINESSES IN ROAD CONSTRUCTION ZONES, OV714-008**

Patty Hayes, Senior Planning Technician, presented the following:

- Proposal
- Completed Road Improvement
- Road Construction in Progress
- Road Construction Impact
- Solution
- Proposed Sign Size Example
- Sign Relief Program
- Discussion

Chairman Cox opened the public hearing.

Don Bristow, Oro Valley resident, voiced his concern with signage directing people into the business. Thought needs to be put into this and if nothing is going to be done to help the driver, then the nice big sign isn't going to help a lot.

Bill Adler, Oro Valley resident, expressed his concern with the stipulation that the sign be on private property as well as signs needing to be two way signs and portable. For

the advertising for the businesses themselves, they need to be on public property and closer to the roadway to expedite the advertising purpose.

Dave Perry, Oro Valley resident, echoed the previous speaker's comments and a suggestion of black type on white background. Mr. Perry also agreed with Mr. Adler in regards to getting the signs closer to the roads. His suggestion would be flexibility to the staff in allowing different solutions for different projects.

Chairman Cox closed the public hearing.

Bayer Vella, Planning Manager, pointed out that on attachment 2, staff intended to strike L4.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drazazgowski to recommend approval of the Zoning Code Amendment to Section 28.6. B to provide a special sign type for commercial, religious institutions and multi-family properties during road construction and deletion of L4 in attachment 2.

MOTION carried, 7-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager, provide the following:

- Change to November 20th Special Planning and Zoning Commission meeting
- Vice Chair Buette and Chairman Cox term out December 31st
- Recruitment for the above two vacant seats
- Upcoming three neighborhood meetings

ADJOURNMENT

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to adjourn the October 21, 2014, Planning and Zoning Commission meeting at 7:46 PM.

MOTION carried, 7-0.



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orovalleychamber.com

Chairwoman
Cathy Workman
*Workman Insurance
and Investments*

Chair-elect
Alan Dankwerth
Market Considerations

Secretary
Marcia Ring
Tohono Chul Park

Treasurer
El Ndoye
National Bank of Arizona

Past chair
Sarah Ritchie
*Pitcher of Nectar
Distributing*

Oct. 21, 2014

Members of the Oro Valley Planning and Zoning Commission
Town staff

Ladies and gentlemen,

The Greater Oro Valley Chamber of Commerce supports Sign Code Amendment OV714-008, adding a sign type, road construction signs.

The proposal recognizes that businesses need help with signage during road construction – they do. Anecdotally, business people tell us road construction can cost them dozens, and even hundreds, of customers a day.

The proposal creates a 1-time, staff-level approval process for the duration of a road project. No council permission would be required. Oro Valley can be quick to respond, with established guidelines, when roads are being built. We hope government will notify businesses up-front, before a project begins, of their signage options.

We encourage your support of this zoning code amendment.

Thank you.

Dave

Dave Perry
President / CEO
Greater Oro Valley Chamber of Commerce
297-2191
Dave@orovalleychamber.com



Town Council Regular Session

Item # **3. a.**

Meeting Date: 11/19/2014

Requested by: Bayer Vella

Submitted By: Michael Spaeth, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)14-58, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.10.D.3, TANGERINE ROAD CORRIDOR OVERLAY DISTRICT, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

This is a procedural item to declare the draft ordinance a matter of public record. The draft ordinance has been posted online and made available in the Town Clerk's office. If the final version is adopted, as approved by Town Council, it will be made available in the same manner.

BACKGROUND OR DETAILED INFORMATION:

Once adopted by Town Council, this proposed resolution will become a public record and will save the Town on advertising costs since the Town will forgo publishing the entire draft ordinance in print form. The current draft version of the draft ordinance has been posted on the Town's website and a printed copy is available for public review in the Town Clerk's office. If the final version is adopted, it will be published on the Town's website.

FISCAL IMPACT:

The Town will save on advertising costs by meeting publishing requirements by reference, without including the pages of amendments.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)14-58, declaring the proposed amendment to the Oro Valley Zoning Code Section 27.10.D.3, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

Attachments

(R)14-58 Amending Section 27.10.D.3

RESOLUTION NO. (R)14-58

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TO BE PLACED WITHIN CHAPTER 27, GENERAL DEVELOPMENT STANDARDS, ARTICLE, 27.10 ENVIRONMENTALLY SENSITIVE LANDS, SECTION 27.10.D.3.f.vi.b.4.A.1 TANGERINE ROAD, OF THE ORO VALLEY ZONING CODE REVISED AND ENTITLED THE “REQUIREMENTS SUBJECT TO MODIFICATION”; ATTACHED HERETO AS EXHIBIT “A” AND FILED WITH THE TOWN CLERK

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document of the Oro Valley Town Code, entitled Chapter 27, “General Development Standards”, Section 27.10.D.3.f.vi.b.4.A.1, “Tangerine Road” is attached hereto as Exhibit “A”, three copies of which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 19th day of November, 2014.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

**Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
November 19, 2014, Town Council**

Section 27.10.D.3.f.vi.b

Tangerine Road

A tract of not less than twenty-five (25) feet in width for commercial developments located at arterial intersections and fifty (50) feet in width for all other developments shall be designated on all properties abutting Tangerine Road, measured from the right-of-way. Crossing of the tract with roads, public or private, and driveways (except for emergency vehicle access where required) is prohibited without the approval of ADOT and the Town. ~~and in no case shall such~~ NO direct access crossing SHALL be less than three hundred thirty (330) feet from an arterial intersection or less than one thousand (1,000) feet from another vehicular tract crossing, UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER DUE TO SIGNIFICANT TRAFFIC SAFETY CONCERNS SUPPORTED BY RECOGNIZED TRAFFIC SAFETY ENGINEERING STANDARDS.



Town Council Regular Session

Item # **3. b.**

Meeting Date: 11/19/2014
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-15, AMENDING SECTION 27.10.D.3 OF THE ZONING CODE, TANGERINE ROAD CORRIDOR OVERLAY DISTRICT, TO PROVIDE THE TOWN ENGINEER THE DISCRETION TO REDUCE DRIVEWAY ACCESS SEPARATION REQUIREMENTS

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the code amendment as provided in the attached ordinance.

EXECUTIVE SUMMARY:

The Tangerine Road Corridor Overlay District was adopted in 1997 and was intended to preserve the scenic value of the Tangerine Road Corridor, as well as to limit access to the roadway which would maintain efficient traffic flow. In some rare cases, the driveway access separation requirements could inadvertently result in less than optimum safety conditions, particularly at street intersections.

A recent variance application illuminated the need for discretion in applying the driveway access separation requirements. The Board of Adjustment requested that staff explore a Zoning Code amendment to allow for the Town Engineer to have discretion in modifying the driveway access separation requirements, where conformance may cause safety concerns. The Planning and Zoning Commission initiated the code amendment on September 2, 2014, and recommended approval on October 21, 2014.

BACKGROUND OR DETAILED INFORMATION:

The Town adopted the Tangerine Road Corridor Overlay District in 1997 with two primary purposes: The first was to preserve the scenic value along the roadway and the second was to ensure safety and efficient traffic movement throughout the corridor. Safe and efficient traffic movement is maintained through access limitations known as driveway access separation requirements, summarized as follows:

- Driveways must be at least 330 feet from an arterial street intersection (i.e. Tangerine Road and La Cholla Boulevard).
- Driveways must be at least 1,000 feet from another driveway or street.

The intent is to limit direct access onto Tangerine Road to ensure efficient traffic flow. A high number of driveways or street intersections along a road results in more congestion and an inability to maintain reasonable speeds. Therefore, limiting driveway access is very important to maintaining Tangerine Road's function as a primary arterial roadway in this area.

In rare cases, strict conformance with the separation requirements may force a driveway to be located

within the functional limits of an arterial street intersection, causing unintended safety conflicts. A recent Board of Adjustment case illuminated the need for Town Engineer discretion with regard to driveway spacing requirements. The Board of Adjustment voted unanimously to approve the requested variance and requested staff to explore a Zoning Code amendment allowing the Town Engineer discretion in applying the driveway access separation requirements. The Planning and Zoning Commission initiated the amendment on September 2, 2014. Further information on the variance case is provided in the attached Planning and Zoning Commission Staff Report (Attachment 2).

Proposed Code Amendment

The proposed Code Amendment provides the Town Engineer the discretion to modify driveway separation requirements solely when significant traffic safety concerns exist. Any modifications will be based upon established and recognized engineering standards and principles.

General Plan Conformance

The Zoning Code Amendment was reviewed for conformance with the Vision, Goals and Policies of the General Plan. Listed below is a summary of the applicable Goals and Policies in italics, followed by staff commentary:

- *To ensure the safe, convenient and efficient vehicular and non-motorized traffic circulation to serve both within and through the community (Goal 5.1).*
- *The Town shall continue to identify and correct existing and potential traffic hazards (Policy 5.1.3).*

Town Engineer discretion to address unsafe traffic conditions is consistent with this General Plan Goal and Policy.

Planning and Zoning Commission Review

The proposed Code Amendment was heard by the Planning and Zoning Commission on October 21, 2014. The primary topics discussed during the meeting included traffic safety, engineering standards and requirements for modification. The Planning and Zoning Commission recommends approval of the proposed code amendment. The Planning and Zoning Commission hearing draft minutes are provided as Attachment 3.

Public Notification Process

Public Notice has been provided as follows:

- All HOA's in the Town have been notified of this hearing
- Public Hearing notice was posted:
 - In the Territorial newspaper
 - At Town Hall
 - On the Town website

To date, staff has not received any comments concerning the proposed amendment.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE Ordinance No. (O)14-15, an amendment to Section 27.10.D.3 of the Zoning Code, to provide Town Engineer discretion to reduce driveway access separation requirements as necessary to maintain safe traffic conditions.

OR

I MOVE to DENY Ordinance No. (O)14-15, an amendment to Section 27.10.D.3 of the Zoning Code, related to the Tangerine Road Corridor Overlay District, finding that _____.

Attachments

(O)14-15 Amending Section 27.10.D.3

ATTACHMENT 2 - PLANNING AND ZONING COMMISSION STAFF REPORT

ATTACHMENT 3 - DRAFT PLANNING AND ZONING COMMISSION MINUTES

ORDINANCE NO. (O)14-15

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 27, GENERAL DEVELOPMENT STANDARDS, ARTICLE, 27.10 ENVIRONMENTALLY SENSITIVE LANDS, SECTION 27.10.D.3.f.vi.b.4.A.1 TANGERINE ROAD, OF THE ORO VALLEY ZONING CODE REVISED; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised (OVZCR); and

WHEREAS, it is necessary to revise Chapter 27, General Development Standards, Section 27.10.D.3.f.vi.b.4.A.1, Tangerine Road, to enable the Town Engineer discretion in cases where driveway separation standards may have the potential to create significant traffic safety concerns; and

WHEREAS, the Planning and Zoning Commission held a meeting on October 21, 2014, and voted to recommend approval of amending Chapter 27, General Development Standards, Section 27.10.D.3.f.vi.b.4.A.1, Tangerine Road; and

WHEREAS, the Mayor and Council have considered the proposed amendments to Chapter 27, General Development Standards, Section 27.10.D.3.f.vi.b.4.A.1, Tangerine and finds that they are consistent with the Town's General Plan and other Town ordinances and are in the best interest of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. that certain document entitled Chapter 27, General Development Standards, Section 27.10.D.3.f.vi.b.4.A.1, Tangerine Road, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit “A”, to enable the Town Engineer discretion in cases where driveway separation standards may have the potential to create significant traffic safety concerns is hereby approved.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 19th day of November, 2014.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: _____

Exhibit “A”

**Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
November 19, 2014, Town Council**

Section 27.10.D.3.f.vi.b

Tangerine Road

A tract of not less than twenty-five (25) feet in width for commercial developments located at arterial intersections and fifty (50) feet in width for all other developments shall be designated on all properties abutting Tangerine Road, measured from the right-of-way. Crossing of the tract with roads, public or private, and driveways (except for emergency vehicle access where required) is prohibited without the approval of ADOT and the Town. ~~and in no case shall such~~ NO direct access crossing SHALL be less than three hundred thirty (330) feet from an arterial intersection or less than one thousand (1,000) feet from another vehicular tract crossing, UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER DUE TO SIGNIFICANT TRAFFIC SAFETY CONCERNS SUPPORTED BY RECOGNIZED TRAFFIC SAFETY ENGINEERING STANDARDS.



Tangerine Road Corridor Overlay District Code Amendment Planning and Zoning Commission Staff Report

CASE NUMBER: OV714-006

MEETING DATE: October 21, 2014

AGENDA ITEM: 1

STAFF CONTACT: Michael Spaeth, Senior Planner
mspaeth@orovalleyaz.gov (520) 229-4812

Request: Zoning Code Amendment to the Tangerine Road Corridor Overlay District to provide the Town Engineer the discretion to reduce driveway access separation requirements.

Recommendation: Recommend approval

SUMMARY:

The Tangerine Road Corridor Overlay District was adopted in 1997 and was intended to preserve the scenic value along the roadway and to limit access to maintain efficient traffic flow. In some rare cases, the driveway access separation requirements could inadvertently result in less than optimum safety conditions, particularly at street intersections.

A recent variance application illuminated the need for discretion in applying the driveway access separation requirements. Based on this variance case, on September 2, 2014, the Planning and Zoning Commission initiated a Zoning Code amendment to consider allowing for Town Engineer discretion to modify the driveway access separation requirements, when conformance may cause safety concerns. The proposed amendment adds language to allow the Town Engineer this discretion when significant traffic safety concerns exist in keeping with recognized traffic safety engineering standards.

BACKGROUND:

Related Approvals

In July, 2014, the Board of Adjustment approved a variance to the Tangerine Road Corridor Overlay District 1000' driveway access separation requirement for the Mercado Mandarin commercial development proposed at the northeast corner of Tangerine Road and La Cholla Boulevard.

On September 2, 2014, the Planning and Zoning Commission initiated this Zoning Code Amendment.

Tangerine Road Corridor Overlay District

The purpose of the Tangerine Road Corridor Overlay District is to preserve the scenic value along the roadway and to ensure safety and efficient traffic movement through access limitations. The driveway access separation requirements are summarized as follows:

- Driveways must be at least 330' feet from an arterial street intersection (i.e. Tangerine Rd. and La Cholla Blvd.)
- Driveways must be at least 1,000 feet from another driveway or street

The intent is to limit direct access onto Tangerine Road to preserve the character of the corridor and ensure efficient traffic flow. A high number of driveways or street intersections with a road results in more congestion and an inability to maintain reasonable speeds. In sum, limiting driveway access is very important to maintaining Tangerine Road's function as a primary arterial roadway in this area.

However, in rare cases, strict conformance with the separation requirements, a driveway may be forced to be located within the functional limits of an arterial street intersection, causing unintended safety conflicts. This is exactly what occurred in the case of the Mercado Mandarin development.

DISCUSSION / ANALYSIS:

Zoning Code Amendment Analysis

The proposed amendment (Attachment 1) will enable the Town Engineer flexibility in limited cases where the driveway separation standards have the potential to create significant traffic safety concerns. The discretion to modify the separation requirements will be based on the existence of significant traffic safety concerns or where in conflict with recognized traffic safety engineering standards. Examples of areas of conflict may include, among others, a road forced into the functional limits of an intersection.

Town Engineer discretion to modify the driveway separation requirements is recommended over the traditional variance process. The Zoning Code requires conformance with 5 criteria when considering a variance application that are more related to the nature and characteristics of a property, as opposed to safety considerations related to a roadway.

General Plan Conformance

The Zoning Code Amendment was reviewed for conformance with the Vision, Goals and Policies of the General Plan. Listed below is a summary of the applicable Goals and Policies in italics, followed by staff commentary:

Goal 5.1 To ensure the safe, convenient and efficient vehicular and non-motorized traffic circulation to serve both within and through the community.

Policy 5.1.3 The Town shall continue to identify and correct existing and potential traffic hazards.

Staff Comment

The driveway separation requirements may, in rare cases, inadvertently create traffic significant safety issues or require a driveway to be located in conflict with recognized traffic safety engineering standards. Town Engineer discretion to modify the separation requirements to eliminate the potential for creating unsafe traffic conditions is consistent with this General Plan Goal and Policy.

PUBLIC PARTICIPATION:

Public notice has been provided as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:
 - In the Territorial newspaper
 - At Town hall
 - On the Town website

No comments have been received to date.

RECOMMENDATION:

Based on the following findings:

- The proposed amendment would allow the flexibility to eliminate potential significant traffic safety concerns and eliminate requirements in conflict with recognized traffic safety engineering standards.
- The proposal is consistent with the relevant Goals and Policies of the General Plan.
- The Board of Adjustment variance process is not well suited for resolving traffic safety issues involving public roads.

It is recommended that the Planning and Zoning Commission take the following action:

**Recommend approval to the Town Council of the requested Zoning Code Amendment
OV714-006**

SUGGESTED MOTIONS:

The Planning and Zoning Commission may wish to consider the following suggested motion:

I move to recommend approval of the Zoning Code Amendment in Attachment 1 related to the Tangerine Road Corridor Overlay District, based on the finding that the request would allow the Town Engineer to maintain safe driving conditions.

OR

I move to recommend denial of the Zoning Code Amendment in Attachment 1 related to the Tangerine Road Corridor Overlay District, as the request does not meet the finding that

ATTACHMENTS:

1. Proposed Code Amendment

Bayer Vella, Interim Planning Manager

Attachment 1
Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
October 21, 2014, Planning and Zoning Commission

Section 27.10.D.3.f.vi.b

Tangerine Road

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**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
AMENDED AGENDA
October 21, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

1. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.10.D. OF THE ZONING CODE TO ALLOW THE TOWN ENGINEER DISCRETION TO MODIFY THE DRIVEWAY ACCESS REQUIREMENTS TO ENSURE SAFE DRIVING CONDITIONS, OV714-006

Michael Spaeth, Senior Planner, presented the following:

- Tangerine Road Corridor Overlay District

David Laws, Permitting Manager, presented the following:

- Tangerine Road Widening Project
- Driveway Separation Requirements
- What's the issue?

Michael Spaeth, concluded the presentation with the following:

- Proposed Code Amendment
- Discussion

Chairman Cox opened the public hearing.

There were no speaker requests.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Hitt to recommend approval of the Zoning Code Amendment in Attachment 1 related to the Tangerine Road Corridor Overlay District, based on the finding that the request would allow the Town Engineer to maintain safe driving conditions.

**Attachment 1
Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
October 21, 2014, Planning and Zoning Commission**

Section 27.10.D.3.f.vi.b

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MOTION carried, 7-0.

ADJOURNMENT

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to adjourn the October 21, 2014, Planning and Zoning Commission meeting at 7:46 PM.

MOTION carried, 7-0.