

**AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
February 18, 2015
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. Letter of Appreciation for Shop OV

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.

CONSENT AGENDA

(Consideration and/or possible action)

- A. Minutes - February 4, 2015
- B. Greater Oro Valley Chamber of Commerce Quarterly Report: October 1, 2014 - December 31, 2014
- C. Visit Tucson Quarterly Report: October 1, 2014 - December 31, 2014
- D. Council approval of M3S Sports' request for in-kind support for the Arizona Distance Classic

- E. Resolution No. (R)15-15, authorizing and approving vacation of a portion of a one (1) foot No Access Easement along Innovation Park Drive
- F. Resolution No. (R)15-16, adopting the Town of Oro Valley Strategic Plan 2015

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 11 (HOTEL/MOTEL) LIQUOR LICENSE FOR THE HILTON TUCSON EL CONQUISTADOR GOLF & TENNIS RESORT LOCATED AT 10000 N. ORACLE ROAD
2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 6 (BAR) LIQUOR LICENSE FOR THE EL CONQUISTADOR COUNTRY CLUB LOCATED AT 10555 N. LA CANADA DRIVE
3. DISCUSSION AND POSSIBLE DIRECTION REGARDING PERSONNEL POLICY 14 - OVERTIME
4. DISCUSSION AND POSSIBLE ACTION TO INITIATE A ZONING CODE AMENDMENT TO SECTION 28.1 (SIGNS) FOR WINDOW SIGN AND BALLOON STANDARDS
5. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE IMPLEMENTATION OF ORDINANCE (O)14-17, AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES
6. DISCUSSION AND POSSIBLE DIRECTION REGARDING POSTPONEMENT OF THE FINAL PURCHASE OF THE EL CONQUISTADOR GOLF AND COUNTRY CLUB AND ASSOCIATED PROPERTIES
7. DISCUSSION AND POSSIBLE DIRECTION REGARDING APPROVAL OF PURCHASE AND OPERATOR CONTRACTS RELATING TO THE EL CONQUISTADOR COUNTRY CLUB AND GOLF COURSE

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: 2/11/15 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: 02/18/2015

Submitted By: Julie Bower, Town Clerk's Office

Information

Subject

Letter of Appreciation for Shop OV

Attachments

Letter

January 27, 2015

Dear William,

I was delighted to receive the \$500 grand prize in the recent Shop Oro Valley Holiday Campaign. I plan to spend it mainly at local restaurants.

Thanks to you and your associates for keeping this wonderful program going. My husband and I have greatly enjoyed all the campaigns. We very much appreciate the generosity of all the businesses who participate.

Sincerely,

Rebecca Icker



Town Council Regular Session

Item # A.

Meeting Date: 02/18/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - February 4, 2015

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 February 4, 2015 minutes.

Attachments

2/4/15 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
February 4, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:00 p.m.

ROLL CALL

PRESENT:

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

EXECUTIVE SESSION - Pursuant to ARS 38-431.03(A)(3) and 38-431.03(A)(4) in order to receive legal advice, consider its position and instruct its attorneys regarding possible litigation relating to a claim filed by Dennis and Judy Merens and pursuant to ARS 38-431.03 (A)(3) and 38-431.03 (A)(4) for discussion of legal advice and to instruct its attorneys on the Arrett/Lamonna lawsuit

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to go into Executive Session at 5:01 p.m. pursuant to A.R.S. 38-431.03(A)(3) and 38-431.03(A)(4) in order to receive legal advice, consider its position and instruct its attorneys regarding possible litigation relating to a claim filed by Dennis and Judy Merens and pursuant to A.R.S. 38-431.03(A)(3) and 38-431.03(A)(4) for discussion of legal advice and to instruct its attorneys on the Arrett/Lamonna lawsuit.

MOTION carried, 7-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorney Kelly Schwab, Legal Services Director Tobin Sidles and Town Clerk Julie Bower. The following additional staff would join Council in Executive Session regarding the Merens item: Development and Infrastructure Services Director Paul Keesler and Planning Manager Bayer Vella.

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
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Communications Administrator Misti Nowak announced the upcoming Town meetings and events.

COUNCIL REPORTS

Councilmember Zinkin reported that he attended the 2015 Legislative Agenda for the Southern Arizona Lodging & Resort Association (SALARA) at which they discussed working with the Legislature to introduce a bill to form a new Sports Authority Board.

DEPARTMENT REPORTS

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

Economic Development Manager Amanda Jacobs reported that artists featured in the Council Chambers would also be featured on the Town's website.

Ms. Jacobs said the Musical Magic Concert Series occurred on the 1st Saturday of the month in the Council Chambers at 10:00 a.m. and was free to the public. Tommy Tom-Tom and the Groove Wrestler would be featured on Saturday, February 7, 2015.

The next Oro Valley Concert Series would be held on Thursday, February 12, 2015 at 6:00 p.m. at the Oro Valley Marketplace and would feature the Little House of Funk.

Police Chief Danny Sharp presented commendations to the following Oro Valley Police Officers for their work on an investigation regarding a sexual assault/child molestation that lasted nearly three years. Based on the tenacity, professionalism and teamwork of the Oro Valley Police Department Criminal Investigative Unit, both suspects would spend the remainder of their lives in prison.

Detective Deren Jackson
Detective Wes Helvig
Detective Zach Young
Detective Mike Cruce
Detective Andrew Novak
Detective Megan Carr
Sergeant Dean Nesbitt

ORDER OF BUSINESS

Mayor Hiremath said the applicant for Regular Agenda item #6 requested to continue the item to the March 4, 2015 regular Town Council meeting.

Mayor Hiremath said Regular Agenda items #9 and #10 would be heard after Regular Agenda item #2.

INFORMATIONAL ITEMS

1. Public Safety Providers Quarterly Reports (Oct. - Dec. 2014)

CALL TO AUDIENCE

Oro Valley resident Shirl Lamonna spoke about the Pima County Bond Update Project and attended the Pima County Bond Advisory Committee meeting on February 6, 2015.

PRESENTATIONS

1. Presentation of State Planning Award to Your Voice Volunteers for Best Public Outreach on a General/Comprehensive Plan for Your Voice, Our Future Phase 1, as recognized by the Arizona Chapter of the American Planning Association

Mayor Hiremath recognized the volunteers who served on the Your Voice, Our Future General Plan Update Project Phase I and thanked them for their contributions. The following members of the Committee were in attendance to receive the award.

Ellen Guyer
Helen Dankwerth
Dick Eggerding
Bill Adler

CONSENT AGENDA

Councilmember Zinkin requested to remove items (B) and (D) from the Consent Agenda for discussion.

A. Minutes - January 21, 2015

C. Reappointment of the representative to the Regional Transportation Authority's (RTA) Citizens Accountability for Regional Transportation (CART) Committee

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Garner to approve items (A) and (C).

MOTION carried, 7-0.

B. Resolution No. (R)15-12, authorizing and approving Amendment #1 to the Intergovernmental Agreement (IGA) between Pima County and the Town of Oro Valley for the Pima County Wireless Integrated Network (PCWIN) subscriber services

Councilmember Zinkin asked if it was appropriate to earmark monies for a contract for FY 2015/16.

Finance Director Stacey Lemos said it would be the Police Department's intent to include funding for this item in the FY 15/16 budget but the funds could not be committed at this time.

Town Attorney Kelly Schwab said multi-year agreements could be entered into and many agreements contain a non-appropriation clause so that should Council not appropriate funding, the Town could back out of the agreement.

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

MOTION carried, 7-0.

D. Approval to amend the adopted FY 2014/15 budget allocation for the Aquatic Center Parking Expansion Project in the General Government Capital Improvement Project (CIP) Fund

Councilmember Zinkin was concerned with spending an additional \$100,000 to increase the number of parking spaces from 100 to 200.

Town Manager Greg Caton said during the design phase, the Town recognized that more space was available for additional parking and the need for additional parking continued to exist.

Discussion ensued amongst Council regarding item #D.

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to amend the approved FY 2014/15 budget allocation for the Aquatic Center Parking Expansion project in the General Government Capital Improvement Project (CIP) Fund from \$184,000 to \$284,000 by reallocating \$80,000 in funding from the MOC Fueling Facility project and \$20,000 in savings from the EDMS project.

MOTION carried, 5-2 with Councilmember Garner and Councilmember Zinkin opposed.

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 14 (PRIVATE CLUB) LIQUOR LICENSE FOR ORO VALLEY COUNTRY CLUB LOCATED AT 300 W. GREENOCK DRIVE

Town Clerk Julie Bower presented item #1.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Garner to recommend approval of the issuance of a Series 14 Liquor License to the Arizona Department of Liquor Licenses and Control for Mark Oswald and principals for Oro Valley Country Club located at 300 W. Greenock Drive.

MOTION carried, 7-0.

2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 6 (BAR) LIQUOR LICENSE FOR ORO VALLEY COUNTRY CLUB LOCATED AT 300 W. GREENOCK DRIVE

Town Clerk Julie Bower presented item #2.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to recommend approval of the issuance of a Series 6 Liquor License to the Arizona Department of Liquor Licenses and Control for Mark Oswald and principals for Oro Valley Country Club located at 300 W. Greenock Drive.

MOTION carried, 7-0.

9. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE IMPLEMENTATION OF ORDINANCE (O)14-17, AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to continue item #9 to the February 18, 2015 regular Town Council meeting.

MOTION carried, 7-0.

10. DISCUSSION AND POSSIBLE DIRECTION REGARDING POSTPONEMENT OF THE FINAL PURCHASE OF THE EL CONQUISTADOR GOLF AND COUNTRY CLUB AND ASSOCIATED PROPERTIES

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to continue item #10 to the February 18, 2015 regular Town Council meeting.

MOTION carried, 7-0.

3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A CONDITIONAL USE PERMIT REQUEST FOR A PROPOSED AUTOBODY REPAIR USE FOR CALIBER COLLISION LOCATED NORTH OF PUSCH VIEW LANE, APPROXIMATELY 1/4-MILE WEST OF ORACLE ROAD

Senior Planner Michael Spaeth presented item #3 and outlined the following:

- Location of Property
- What is a Conditional Use Permit?
- Screening
- Summary & Recommendation

Discussion ensued amongst Council and staff regarding item #3.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve the Conditional Use Permit for Caliber Collision, subject to the conditions listed in Attachment 1, based on the finding that the proposed request is consistent with all Zoning Code review criteria.

Attachment 1 Conditions of Approval

Planning Conditions

1. Screening must be provided along the northern property line to ensure stored vehicles are not visible from the shared use path along the Canyon del Oro Linear Park.

MOTION carried, 7-0.

- 4. AMENDING SECTION 24.9, ECONOMIC EXPANSION ZONE (EEZ) OF THE ORO VALLEY ZONING CODE REVISED (OVZCR)**
 - a. RESOLUTION NO. (R)15-13, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 24.9 AND CHAPTER 24, RELATING TO ECONOMIC EXPANSION ZONE OVERLAY DISTRICT, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD**

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Garner to approve Resolution No. (R)15-13, declaring the proposed amendments to the Oro Valley Zoning Code Revised Section 24.9 and Chapter 24, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

MOTION carried, 7-0.

- b. PUBLIC HEARING: ORDINANCE NO. (O)15-05, AMENDING SECTION 24.9, ECONOMIC EXPANSION ZONE (EEZ) OVERLAY DISTRICT, OF THE ORO VALLEY ZONING CODE REVISED TO ELIMINATE THE CONCEPTUAL DESIGN REVIEW PROCESS AND ALLOW ADMINISTRATIVE APPROVAL OF ALTERNATIVE PARKING RATIOS**

Planning Manager Bayer Vella presented item #4b. and outlined the following:

- EEZ Process
- Alternative Parking Ratios
- Recommendation

Discussion ensued amongst Council and staff regarding item #4b.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve Ordinance No. (O)15-05, amending Section 24.9 of the Oro Valley Zoning Code as provided in Attachment 1, finding that the amendment meets the intent of the Economic Expansion Zone Overlay District.

MOTION carried, 7-0.

5. AMENDING SECTION 22.3.D.2.b.ii AND SECTION 27.10.F.2.c.iii.h OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) REGARDING APPROVAL PROCESS FOR FLEX DESIGN OPTIONS; MODIFIED REVIEW PROCESS; AND TENTATIVE DEVELOPMENT PLAN CHANGES

a. RESOLUTION NO. (R)15-14, DECLARING THE PROPOSED AMENDMENTS TO CHAPTER 22 OF THE ORO VALLEY ZONING CODE AT SECTION 22.3 AND CHAPTER 27 OF THE ORO VALLEY ZONING CODE REVISED AT SECTION 27.10, PROVIDED HERETO AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to approve Resolution No. (R)15-14, declaring the proposed amendments to Chapter 22 of the Oro Valley Zoning Code at Section 22.3 and Chapter 27 of the Zoning Code at Section 27.10, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

MOTION carried, 7-0.

b. PUBLIC HEARING: ORDINANCE NO. (O)15-06, AMENDING SECTION 22.3.D.2.b AND SECTION 27.10.F.2.c., TO AMEND THE APPROVAL PROCESS FOR ENVIRONMENTALLY SENSITIVE LANDS FLEXIBLE DESIGN OPTIONS, ALLOW FOR ADMINISTRATIVE APPROVAL OF NON-SUBSTANTIAL CHANGES TO A TENTATIVE DEVELOPMENT PLAN UNDER A MODIFIED REVIEW PROCESS AND AMENDMENTS TO SECTION 22.3.D.2.b TO CLARIFY WHAT TENTATIVE DEVELOPMENT PLAN CHANGES ARE CONSIDERED SIGNIFICANT

Senior Planner Michael Spaeth presented item #5b. and outlined the following:

-What's the Issue?

- Proposed Code Amendment
- Proposed Review Process

Discussion ensued amongst Council and staff regarding item #5b.

Mayor Hiremath opened the public hearing.

The following individuals spoke in support of item #5b.

Amber Smith, Executive Director for Metropolitan Pima Alliance
David Godlewski, Representative for the Southern Arizona Homebuilders Association and Oro Valley resident
Paul Oland

Mayor Hiremath closed the public hearing.

Discussion continued amongst Council and staff regarding item #5b.

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Hornat to approve Ordinance No. (O)15-06, amending the approval process for Environmentally Sensitive Lands Flexible Design Options, allowing for administrative approval of non-substantial design changes as part of the ESL modified review process and clarifying what constitutes a "significant change" as indicated in Attachment 1, Exhibit "A" and further **MOVE** to move minimum lot size, to include both length and width, to the Town Council approval column and to redefine Off-Street Parking to Alternative Parking Analysis.

MOTION carried, 7-0.

6. REVISION TO THE STONE CANYON II FINAL PLAT FOR LOT 167 AT 1055 W. TORTOLITA MOUNTAIN DRIVE WITHIN RANCHO VISTOSO, NEIGHBORHOOD 11 BY REMOVING THE DESIGNATED "NO-BUILD AREA" AND ALLOWING ENCROACHMENT INTO 25% OR GREATER SLOPES

As requested by the Applicant, item #6 was continued to the March 4, 2015 regular Town Council meeting.

7. DISCUSSION AND POSSIBLE DIRECTION REGARDING GROUNDWATER PRESERVATION FEES

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Zinkin to direct staff to look at how the Town calculated the Groundwater Preservation Fees and see if costs could be reduced.

MOTION carried, 6-0.

**8. ~~DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO AMEND THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) SECTION OF THE CODE~~
(Removed from the agenda on 2/2/15 at 3:00 p.m.)**

FUTURE AGENDA ITEMS

Councilmember Garner requested a future agenda item for the February 18, 2015 Council meeting, to discuss placing any contracts related to the purchase of the El Conquistador Country Club on the Consent Agenda for Council review and approval, seconded by Councilmember Zinkin.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to adjourn the meeting at 8:00 p.m.

MOTION carried, 7-0.

Prepared by:

Michael Standish, CMC
Deputy Town Clerk

I hereby certify that 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 4th day February, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2015.

Julie K. Bower, MMC
Town Clerk



Town Council Regular Session

Item # B.

Meeting Date: 02/18/2015

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: October 1, 2014 - December 31, 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 Economic Development staff and Council. The enclosed report satisfies the FPA requirement for the second 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 Second 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.

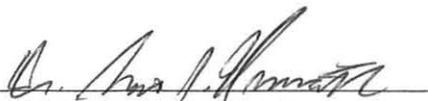
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

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

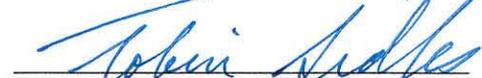
ATTEST:



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

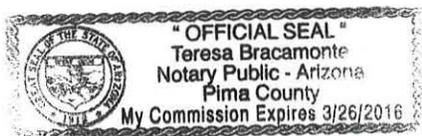
State of Arizona)
) ss.
County of)

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

October 1, 2014 – December 31, 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	Oct 2014	Nov 2014	Dec 2014	Total
1. Business Retention Site Visits	1	14	23	38
2. OV Dollars Distribution	0	\$4,400	\$24,390	\$28,790
3. Ribbon Cuttings	3	2	0	5
4. Breakfasts, lunches, mixers	7	2	0	9
5. Relocation Packages	78	66	6	150

1. The Chamber President and/or staff attended Business Retention Site Visits with the following businesses: **Michelangelo’s** and **Red Lion Inn & Suites**. Additionally, the Chamber and staff reached out to the businesses along **Magee Road and Oracle Road** to discuss the ‘**Road Construction Signs**’ adopted by Council on November 19.
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 **163 cards** totaling **\$28,790**. The Chamber incentivized sales with its **seasonal 10 percent bonus Nov. 26-Dec. 12**. It also gave away **\$750 in Oro Valley Dollars** at the holiday tree-lighting event **Dec. 5** (we tried for **\$1,000**, but had **5** unclaimed numbers), and donated the **\$500 grand prize** in the **Shop Oro Valley Holiday Campaign**. Chamber’s direct out-of-pocket expense was **\$3,800**.
3. Ribbon cuttings/ground breakings were held for **Table Talk at Home, Panera Bread** and **Mutual of Omaha Bank** in **October**, and for **Desert Palms Physical Therapy** and **Catalina Springs Memory Care** in **November**.
4. 9 Town officials took advantage of the free Chamber breakfasts, luncheons and mixers.
5. 150 relocation packages were distributed in the second quarter.

Additional Information

On **Oct. 3**, the Chamber helped get a crowd for an **economic development forum** hosted by the Town of Oro Valley as part of Your Voice Our Future. Chamber President / CEO Dave Perry welcomed the group.

On **Oct. 30**, with economic development specialist **William Vicens**, Chamber staff visited non-member **Michelangelo's** regarding the uncompleted **Magee Road** project. The Chamber asked for short-term remediation at Michelangelo's from Pima County, and it was accomplished. Further visits were conducted in the Magee corridor to update business people on the project status and to learn their concerns.

Chamber staff addressed tenants' meeting at **Oro Valley Marketplace** on **Nov. 20**.

Chamber staff provided assistance to the 10th annual **Oro Valley Holiday Parade** on **Dec. 13**.



Town Council Regular Session

Item # **C.**

Meeting Date: 02/18/2015

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

Department: Town Manager's Office

Information

SUBJECT:

Visit Tucson Quarterly Report: October 1, 2014 - December 31, 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 second 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 Second 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.

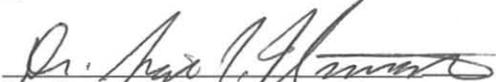
Section 18. Conflict of Interest

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:

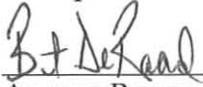
 Deputy Clerk FOR
Julie K. Bower, as Town Clerk
and not personally


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

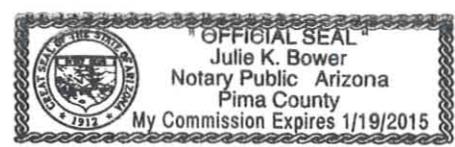
State of Arizona)
) ss.
County of PIMA)

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

October through December 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	106	186	145
Site Inspections	28	6	15	17
Future Bookings	23	9	20	17
Room Nights of Future Bookings	10,500	5,959	9,168	8,143
Travel Industry Sales				
Leads/Services	35	2	15	9
Promote to Targeted Tour Operator Clients	500	340	653	1,020
Impressions Via Tour Operator Catalogs	750,000	640,000	1,604,100	868,800
Marketing				
Unique Visitors to Visit Tucson Website	1 M	447,772	773,240	589,285
Unique Visitors to Oro Valley via Visit Tucson Website	20,000	7,574	15,526	12,239

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%

October-December 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 in January. It will include information about Oro Valley and its tourism assets, including 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: Oro Valley is receiving a ½-page advertisement in the 2015 Official Visitors Guide. We will provide Town staff with copies of the guide once it is published.

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

Results: Saturday Market – Steam Pump Ranch

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

What's New in Tucson features 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...)

October-December 2014 Oro Valley Highlights

Page 3

3. Promote Oro Valley events and attractions on Visit Tucson's website and social media sites. (continued)



AZ Distance Classic @AZDistance

2015 is here! We are getting closer and closer to the Arizona Distance Classic Half Marathon race day! Have you... <http://fb.me/3w8rObN6C>



Tucson Sports @TucsonSports · Dec 28

These ladies are GOOD! [@usta](#) Winter Championships [@HiltonElCon](#)
[@VisitTucsonAZ](#) [@OroValleyAZGov](#) [@ReffkinTennis](#)

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 two quarters 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: Amanda Jacobs, the Town's Economic Development Manager, participated in the La Vegas Rock 'n' Roll Marathon expo with Angel Natal, our Director of Visit Tucson Sports, in December to promote the upcoming Arizona Distance Classic. Visit Tucson Sports is working with the Town and event organizer to register more visiting runners for this March 2015 race.

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 continue to add requested information throughout the year. The site is currently featuring the Off the Vine Wine Festival on Saturday, February 21 at Steam Pump Ranch and the Arizona Distance Classic on Sunday, March 22.

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

Result: We are working with the Tucson Distance Classic to increase the number of visiting runners participating in March. We are also working with Town staff to bring events to Oro Valley Aquatic Center in March and April. We will report direct spending and tourism-based impact numbers for those events shortly after they are held.

October-December 2014 Oro Valley Highlights

Page 4

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 paid \$8,000 this fall for costs the Town would have incurred for the following promotion:

- Visit Tucson partnered with Madden Media, the Arizona Office of Tourism, the Town of Oro Valley and hotels and attractions throughout the state to create a 16-page Arizona promotional insert that ran in the December 2014 edition of *EnRoute* magazine, which is Air Canada's in-flight publication.
- 565,000 copies of this publication were also inserted Oct. 25 in the *Ottawa Citizen*, *Toronto Star*, *Calgary Herald*, *Vancouver Sun*, *Vancouver Province* and *Montreal Gazette*.
- Following is a link to the digital edition of this section:
<http://www.myvirtualpaper.com/doc/MaddenMedia/2014-arizona-canada-fall/2014100101/#0>
- As part of this package, an article commissioned by Visit Tucson, which features Oro Valley, has been posted on www.VisitArizona.com since late October. Here is a link to that article: <http://visitarizona.com/experience-and-share/featured-article/tucson-and-beyond>

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: We have ongoing conversations among Town staff and Visit Tucson's marketing and sports personnel to discuss opportunities to promote the Town's tourism attributes and book sports events. During the week of December 1, 2014, Felipe Garcia helped Oro Valley staff write a welcome letter to an Hermosillo team attending the Fast Winter Lights meet at the Aquatic Center. Additionally, he assisted in the official welcome on Saturday, December 6 with Mayor Hiremath, Vice Mayor Waters and Councilmember Hornat.

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 15 meetings booked between July 1-Dec. 31, 2014 by the Hilton El Conquistador Resort and the Red Lion Inn & Suites Tucson North from Visit Tucson leads is \$2,900,240.

Other Promotion

Support for Purchasing Hilton Golf/Tennis Assets:

- We at Visit Tucson sent a letter of support in December regarding the Town's contemplated purchase of the Hilton El Conquistador's golf and tennis assets.
- We are eager to work with Troon Golf to market the Town's golf assets and with Town staff to solicit non-resident, revenue-generating opportunities for the tennis facilities.

October-December 2014 Oro Valley Highlights

Page 5

Other Promotion

Chamber

- Brent DeRaad was the guest speaker at the Oro Valley Chamber of Commerce's Oct. 30 mixer at Tohono Chul Park.
- He discussed projected travel increases for metro Tucson in 2015 and how Oro Valley's tourism-related businesses can benefit.

Children's Museum Facility to Be Built in Oro Valley

- We at Visit Tucson are excited about the fall 2014 announcement that a satellite Children's Museum will be built at Steam Pump Village Shops, 11015 N. Oracle Rd.
- The 3,300-square-foot facility will complement the existing museum by focusing on early-childhood development activities and school-readiness programming.
- The Children's Museum Oro Valley is projected to open in 2015 once fundraising efforts are completed.
- We at Visit Tucson will market it enthusiastically as part of Oro Valley's growing number of tourism attractions.

Visit Tucson Brings in Canadian Youth Baseball Teams

- Visit Tucson Sports brought in 3 Canadian (Ontario) youth baseball clubs in October to train and play exhibitions at Kino Sports Complex and Kino Stadium, along with a game at Ironwood Ridge High School in Oro Valley.
- While in metro Tucson, they played exhibitions against local high school and club baseball teams.



Town Council Regular Session

Item # D.

Meeting Date: 02/18/2015

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

Department: Town Manager's Office

Information

SUBJECT:

Council approval of M3S Sports' request for in-kind support for the Arizona Distance Classic

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

In fall 2010, Council expressed an interest in establishing a funding policy, apart from the Town's Community Funding policy, for special events that stimulate local economic development. To address this request, staff enhanced the Town's existing Special Events Policy to include requests for in-kind support from event coordinators up to 50%. Council directed staff to provide flexibility and 100% in-kind support for major/signature events that have a significant economic impact in Oro Valley.

BACKGROUND OR DETAILED INFORMATION:

The 11th Annual Arizona Distance Classic will be held in Oro Valley from March 21-22, 2015. The event includes the Valley of Gold Half Marathon (13.1 miles), the Quarter Marathon (6.55 miles), 5k and the Town of Oro Valley Kids Fun Run. The start and finish for all events will be at the Ventana Medical Systems/Roche campus. Organizers estimate the event will attract 2,500 people. The estimated total direct spending is \$127,500.

The purpose of the Arizona Distance Classic is to provide a world class event to celebrate the active lifestyle in Oro Valley and all residents are encouraged to participate or volunteer at the event. The Hilton El Conquistador Golf & Tennis Resort is the host resort and is an event partner with Ventana Medical Systems/Roche, Northwest Medical Center, All About Running & Walking, the Explorer Newspaper, the Town of Oro Valley, the Greater Oro Valley Chamber of Commerce and Visit Tucson.

FISCAL IMPACT:

The total in-kind support for the Arizona Distance Classic is estimated to be \$8,937.

SUGGESTED MOTION:

I MOVE to (approve or deny) 100% in-kind support for the Arizona Distance Classic.



Town Council Regular Session

Item # **E.**

Meeting Date: 02/18/2015
Requested by: David Laws
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Resolution No. (R)15-15, authorizing and approving vacation of a portion of a one (1) foot No Access Easement along Innovation Park Drive

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

There is an existing one (1) ft. No Access Easement along the west side of Innovation Park Drive. The one (1) ft. No Access Easement was established with the recordation of the Innovation Corporate Center Final Plat (Book 63 Maps and Plats Page 17). The WLB Group, on behalf of Beztak has requested that a portion of the easement be abandoned to allow construction of an access drive from Innovation Park Drive into the proposed All Seasons of Oro Valley development as shown in Exhibit "B."

BACKGROUND OR DETAILED INFORMATION:

The Site Plan for the All Seasons of Oro Valley is going through the administrative plan review process under the Economic Expansion Zone (EEZ) process. The design for access into the development includes a proposed vehicular access from Innovation Park Drive; however, for the access to be granted, a portion of an existing one (1) ft. No Access Easement must be vacated. The purpose a one (1) ft. No Access Easement is to restrict vehicular access along a roadway for safety considerations such as minimizing access points or for sight visibility related issues. The Town Engineer's office reviewed the request and has determined the request to be acceptable under specific conditions, which are as follows:

- 1) The access drive be designed to limit traffic movements to right-in, right-out, and left-in only (i.e. no left-out traffic allowed)
- 2) That existing vegetation along Innovation Park Drive be removed or trimmed as identified on the Landscape Plan to eliminate any potential sight visibility issues

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve Resolution No. (R)15-15, authorizing and approving vacation of a portion of a one (1) foot No Access Easement along Innovation Park Drive.

Attachments

Attachment 1 - (R)15-15 Abandonment of Access Easement

Exhibit A

Exhibit B

RESOLUTION NO. (R)15-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING VACATING OF A PORTION OF A ONE FOOT NO ACCESS EASEMENT ALONG INNOVATION PARK

WHEREAS, pursuant to A.R.S. § 9-276, the Town is authorized to lay out, maintain, control and manage public roads within its jurisdictional boundaries; and

WHEREAS, WLB Group, on behalf of Beztak, has requested that a portion of the easement be abandoned to allow construction of an access drive from Innovation Park Drive into the proposed All Seasons of Oro Valley as shown in Exhibit “B”; and

WHEREAS, the Town desires to vacate the existing portion of the One Foot No Access Easement along the west side of Innovation Park Drive as shown in Exhibit “A”; and

WHEREAS, it is in the best interest of the Town to vacate the existing portion of the One Foot No Access Easement to allow construction of an access drive from Innovation Park Drive into the proposed All Seasons of Oro Valley.

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

SECTION 1. The One Foot No Access Easement along the east side of Innovation Park Drive, described in Exhibit “A” and attached hereto by this reference, is hereby vacated.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 18th day of February, 2015.

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”

EXHIBIT “B”

JUN 18 2014

BY: April 29, 2014

WLB No. 185050-VW02-1003

W:\LEGALS\185050\Nh03\Inno Corp Center_block 2 NAE release_REV_060614.doc



**LEGAL DESCRIPTION
RANCHO VISTOSO NEIGHBORHOOD 3
INNOVATION CORPORATE CENTER
LOT 1 (FORMERLY BLOCK 2)
A PORTION OF 1 FOOT NO ACCESS EASEMENT RELEASE**

A portion of that No Access Easement to released from Block 2 of RANCHO VISTOSO NEIHBORHOOD 3 INNOVATION CORPORATE CENTER, final plat recorded in Book 63, Maps and Plats, Page 17, lying within Section 31, Township 11 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at a point on a curve concave to the East at the intersection of Innovation Park Drive and Vistoso Park Road as shown on page 4 of said final plat;

THENCE Southerly along the centerline of Innovation Park Drive and the arc said curve to the left, having a radius of 675.00 feet, a central angle of 48°30'01", a radial bearing in of N 59°59'59" W, a radial bearing out of S 71°30'00" W, for an arc distance of 571.38 feet to a point of tangency;

THENCE S 18°30'00" E, along said centerline, a distance of 7.96 feet;

THENCE N 71°30'00" E, a distance of 75.00 feet to a point on the East right-of-way line of Innovation Park Drive, said point being the **POINT OF BEGINNING**;

THENCE S 18°30'00" E, along said right-of-way, a distance of 59.35 feet;

THENCE N 71°30'00" E, a distance of 1.00 foot;

THENCE N 18°30'00" W, a distance of 59.35 feet;

THENCE S 71°30'00" W, a distance of 1.00 foot to the **POINT OF BEGINNING**;

Prepared by:
THE WLB GROUP, INC.

Peter D. Cote, RLS 44121



EXPIRES 3-31-2015

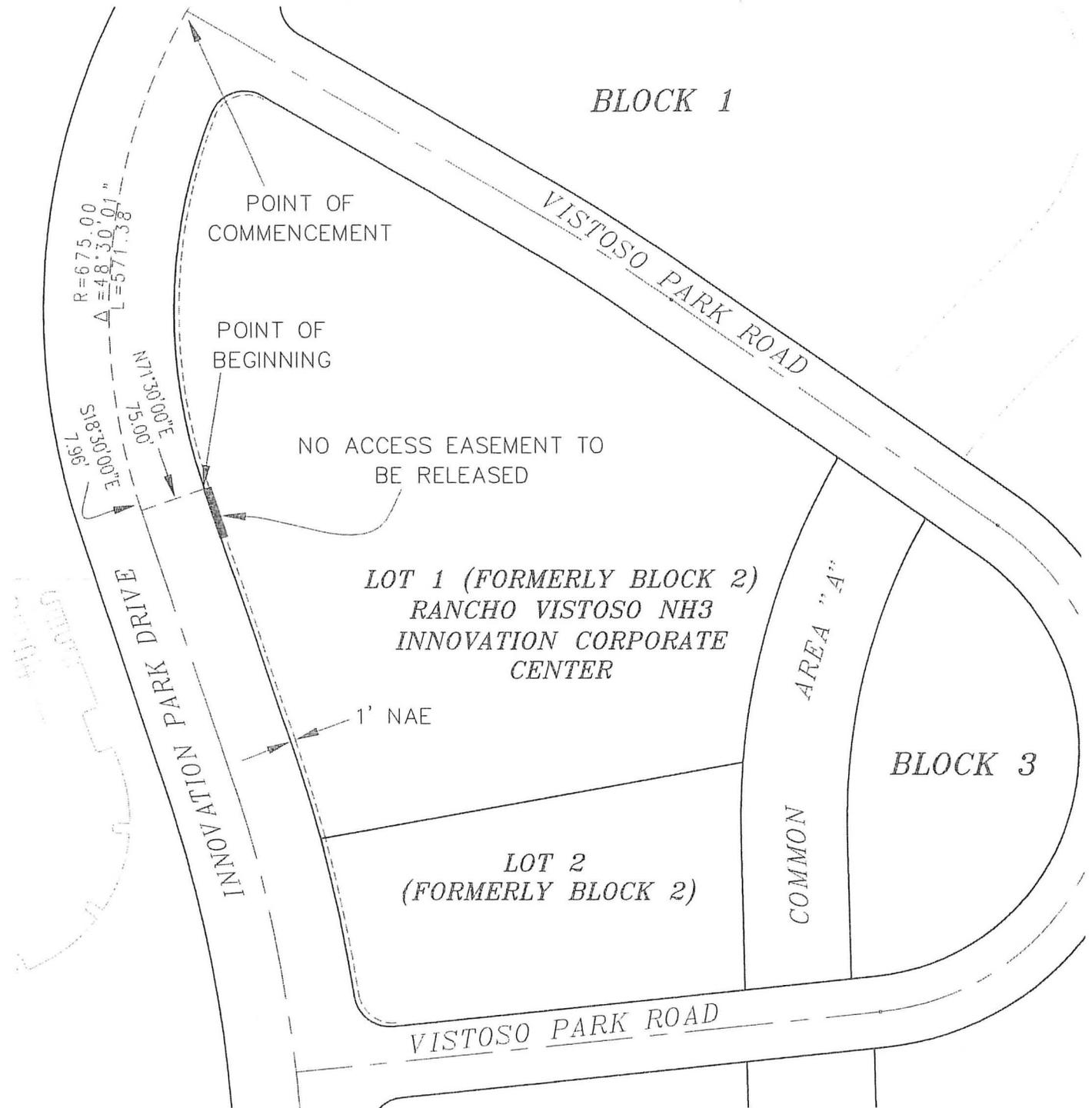
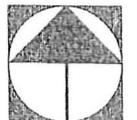
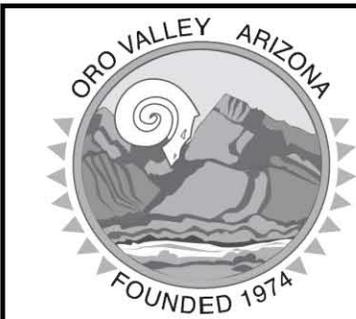
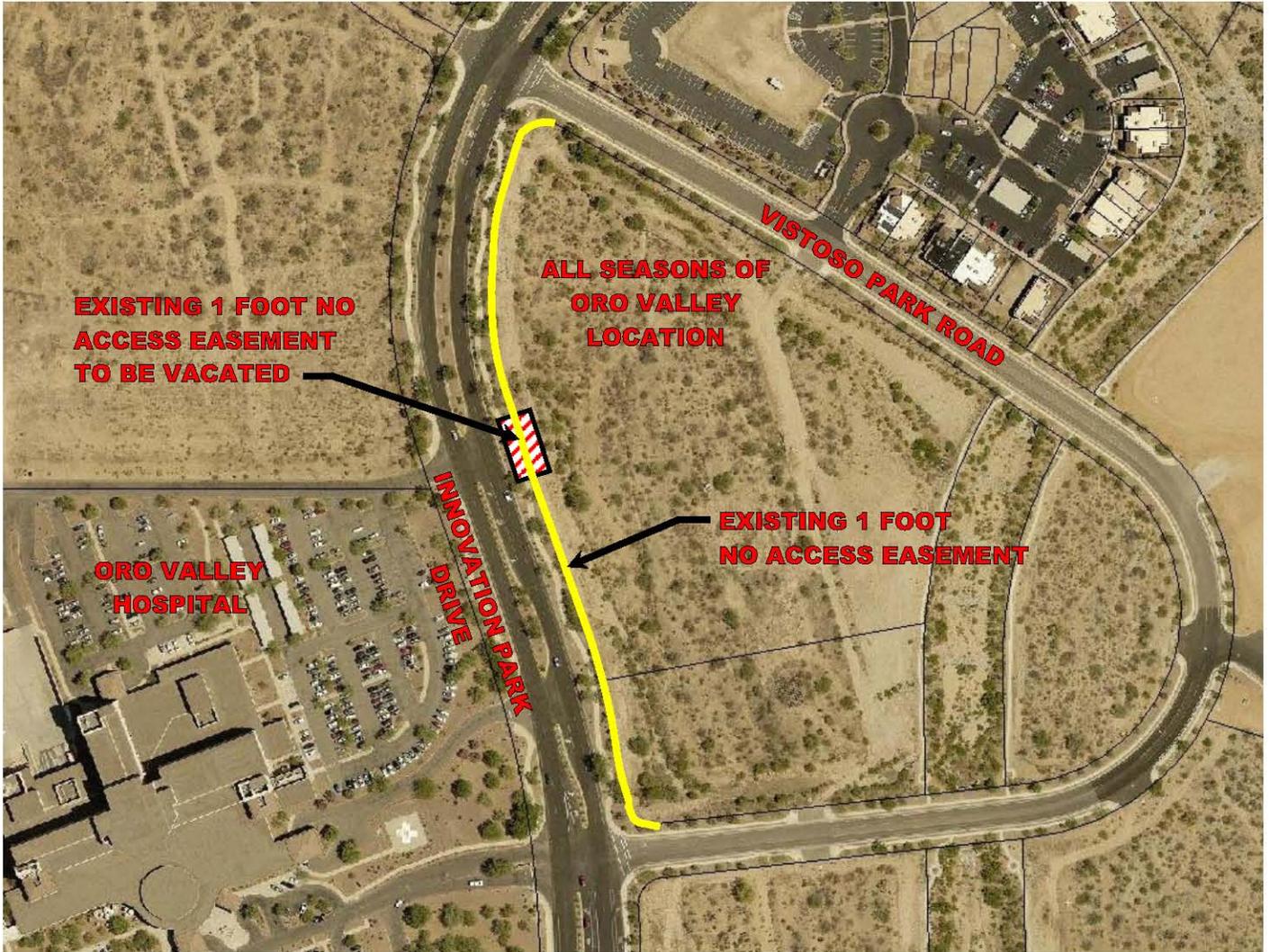


EXHIBIT TO ACCOMPANY DESCRIPTION OF
 A PORTION OF 1 FOOT NO ACCESS EASEMENT RELEASE
 PORTION OF LOT 1 (FORMERLY BLOCK 2) RANCHO
 VISTOSO NEIGHBORHOOD 3 INNOVATION CORPORATE
 CENTER BOOK 63 MAPS AND PLATS PAGE 17 SECTION
 31, T. 11 S., R. 14 E., G.&S.R.M., PIMA COUNTY,
 ARIZONA

1"=150'





LOCATION MAP

Vacation of 1 Foot No Access Easement



Town Council Regular Session

Item # **F.**

Meeting Date: 02/18/2015
Submitted By: Chris Cornelison, Town Manager's Office
Department: Town Manager's Office

Information

SUBJECT:

Resolution No. (R)15-16, adopting the Town of Oro Valley Strategic Plan 2015

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Town of Oro Valley updates its Strategic Plan every two years. The most recent version of the Strategic Plan was adopted January 16, 2013. On October 24, 2014, the Town Council held a work session to develop a framework for the revised plan. Staff then developed Strategies and Actions to support the Goals and Focus Areas developed by Council. The draft Strategic Plan 2015 is included as Attachment 2.

The 2015 Strategic Plan covers five Focus Areas: Fiscal Responsibility, Communication, Economic Development, Parks, Recreation and Cultural Development, and Community Infrastructure and Services. There are one or more Goals under each Focus Area, along with specific Strategies and Actions (represented as the bullet points under each Strategy) to be taken by the organization in order to achieve those Goals. The Strategic Plan represents the shared vision and the priorities of Town Council. This document will provide strategic direction to the organization over the course of the next two years.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)15-16, adopting the Town of Oro Valley Strategic Plan 2015.

Attachments

Attachment 1 - (R)15-16 Town of Oro Valley Strategic Plan 2015

Attachment 2 - DRAFT Strategic Plan 2015

RESOLUTION NO. (R)15-16

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE
TOWN OF ORO VALLEY, ARIZONA, ADOPTING THE TOWN
OF ORO VALLEY STRATEGIC PLAN 2015**

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, the current Town of Oro Valley Strategic Plan was approved and published in 2013; and

WHEREAS, the Town wishes to revise the current Strategic Plan to better reflect the current strategic posture of the Town; and

WHEREAS, the Town of Oro Valley Strategic Plan 2015 (the “Plan”), attached hereto as Exhibit “A” and incorporated herein by this reference, includes input from the Mayor and Council and all Town departments; and

WHEREAS, the Plan’s focus areas are Fiscal Responsibility, Communication, Economic Development, Parks, Recreation and Cultural Development, and Community Infrastructure and Services; and

WHEREAS, the Mayor and Council believe that the adoption of the Plan is in the best interest of the Town and will help promote the health, safety and welfare of the Town.

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

SECTION 1. That certain document entitled “Town of Oro Valley Strategic Plan 2015,” attached hereto as Exhibit “A” and incorporated herein by this reference, is hereby adopted.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this resolution or any part of the Town of Oro Valley Strategic Plan 2015 adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona
this 18th day of February, 2015.

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”



Town of Oro Valley

STRATEGIC PLAN 2015



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ORO VALLEY, it's in our nature

Oro Valley is committed to providing high-quality municipal services and responsible development. The community is proud to receive accolades from many organizations that recognize Oro Valley as a great place to live and conduct business. However, it is our residents and visitors who are dedicated to being good stewards of our beautiful environment, as well as ensure Oro Valley's long-term financial, economic, and quality of life sustainability.

Location: Oro Valley is located in northern Pima County approximately three miles north of the Tucson city limits in southern Arizona. Nestled between the Catalina and Tortolita mountain ranges, the town sits at an elevation of 2,620 feet and covers more than 36 square miles. The climate, one of the sunniest most comfortable places in the country, provides year-round outdoor adventures for all ages. From golfing at a world-class course, boating and fishing at several nearby lakes, downhill skiing on Mount Lemmon in the Santa Catalina Mountains, hiking through the foothills in Catalina State Park, or biking/walking along the many pathways throughout the community – Oro Valley offers an experience for everyone.

Lifestyle: Oro Valley residents enjoy an upscale lifestyle with recreational amenities, quality employment, and a variety of residential opportunities. According to the 2010 Census, the population of 41,011 is fairly balanced across all age segments, with approximately 97% having a high school diploma or higher, as well as over 51% having a bachelor's degree or higher. Projections indicate continued, healthy growth. Per capita income is among the highest in Arizona with a median household income of \$71,628.



ONE OF AMERICA'S 10 SAFEST SUBURBS

Movota Real Estate, 2014

BEST PLACE IN ARIZONA TO RAISE KIDS

Bloomberg Businessweek, 2013

PLAYFUL CITY COMMUNITY USA

2011, 2012, 2013, & 2014

10 BEST TOWNS FOR FAMILIES

Family Circle Magazine, August 2008

100 BEST PLACES IN AMERICA TO LIVE &
LAUNCH A BUSINESS

Fortune Small Business Magazine, 2008

VISION FOR OUR FUTURE

Oro Valley is committed to taking strategic action toward implementing a community vision and managing town resources. The 2015 Strategic Plan is organized around a framework of five focus areas. Each focus area is deemed to be important and not intended to be listed in any priority order. These focus areas, if addressed collectively, assist the town in achieving its mission.

- Fiscal Responsibility
- Communication
- Economic Development
- Parks, Recreation, and Cultural Development
- Community Infrastructure and Services

These Focus Areas provide the policy direction for the Town. Within each of the five Focus Areas is a “Goal” and “Strategy” that provide strategic direction. The goals and strategies provide the foundation for strategy development over the next two to five year period. Within each strategy are bullet points or actions to achieve the overall goals.

Focus Areas indicate where Oro Valley must direct effort to address community needs and desires.

Goals describe a fundamental achievement desired or broad priority direction.

Strategy identifies the action that will be taken to move the town toward achieving its goals.

The overall purpose of the Strategic Plan is to direct decision-making and budgeting by the Town of Oro Valley and provide guidance to staff. The Strategic Plan also communicates to the residents or stakeholders the town’s priorities.

FOCUS AREA: FISCAL RESPONSIBIITY

Goal: Maintain long-term financial health through diversified revenue sources while strategically investing in community initiatives.

Strategy: Evaluate opportunities to diversify the Town's revenue sources.

- Review and update Town-wide fees and charges for services, as necessary, to ensure appropriate cost recovery.
- Review current revenue enhancement options, as well as research future options.
- Continue pursuit of grant funding.
- Research annexation opportunities.
- Explore the possibility of a special taxing district for a cultural/historical center or downtown area.

Strategy: Prioritize investments in capital infrastructure.

- Determine return on investment, cost avoidance, applicability to general plan, and identify core services in determining capital infrastructure priorities, including town facilities.

FOCUS AREA: COMMUNICATION

Goal: Ensure citizens are educated about and highly engaged in Oro Valley activities and moving future initiatives forward.

Strategy: Provide opportunities for residents to become engaged in and knowledgeable about the role of local government.

- Expand opportunities to engage youth and build on the success of the Youth Advisory Council, Police Explores, School Resource Officer programs, and *Your Voice, Our Future* student outreach efforts.
- Partner with other organizations and events to share information about Town services, programs, departments, and events.

Strategy: Continue expanding the Town's use of technology to improve communication.

- Develop new intranet to build and streamline internal communications for employees.
- Continue customizing the Town's website to meet the ever-changing communications needs of residents and employees.
- Explore the possibility of adding more information kiosks on Town property.
- Expand the use of social media and video to reach a variety of audiences.

FOCUS AREA: ECONOMIC DEVELOPMENT

Goal: Establish Oro Valley as the home for globally-competitive high technology and biosciences businesses and employees while maximizing the Town's visitor destination opportunities.

Strategy: Support the creation of jobs and promote partnerships to enhance our community.

- Partner with existing high-tech and biosciences businesses to determine expansion and supplier needs.
- Establish a public/private partnership to create an Oro Valley Business Accelerator at Innovation Park.
- Explore the possibility of recruiting a satellite campus for a major university or other educational institution.
- Maintain regional partnerships with the Greater Oro Valley Chamber of Commerce, Pima County One Stop, Tucson Regional Economic Opportunities, Inc., and Visit Tucson.
- Continue marketing Innovation Park as Oro Valley's bioscience corridor locally, regionally, nationally, and internationally.
- Pursue annexation opportunities that will deliver long-term benefits to the Town.
- Support public safety efforts to maintain a low crime rate, which will appeal to bioscience business and other business expansion opportunities.

Strategy: Support cultural, entertainment, and sporting venues.

- Maintain park systems, multi-use paths, and the development of family-oriented recreation centers.
- Continue developing Steam Pump Ranch as a cultural and historical destination.
- Evaluate the development of an entertainment district that includes music, sports, museums, and private/nonprofit galleries.
- Partner with a local event coordinator and develop one or more Oro Valley endurance events.
- Provide a safe environment for family-friendly events.

FOCUS AREA: PARKS, RECREATION, AND CULTURAL DEVELOPMENT

Goal: Develop exceptional recreation and cultural facilities and programs that attract visitors and events that enhance residents' quality of life and strengthens the economy.

Strategy: Provide infrastructure and support for events.

- Explore and implement appropriate public/private partnerships for enhanced cultural, parks, and recreational development.
- Upgrade and maintain existing facilities such as baseball fields, archery, restrooms, lighting, etc.
- Strategically invest in multi-purpose, sport-specific, and cultural facilities.
- Embrace emerging sports such as lacrosse and mountain biking.
- Recruit, retain, and/or develop events such as triathlons, marathons, archery, tennis competitions, or other recurring/seasonal events.
- Develop infrastructure in and around venues/parks, including telecommunications where appropriate.
- Support public safety to protect town assets and provide a safe environment for recreational activities.
- Host cultural and culinary events, such as Oro Valley Meet Yourself.

FOCUS AREA: COMMUNITY INFRASTRUCTURE AND SERVICES

Goal: Serve as the model for innovative partnerships, services, and performance in providing basic town services.

Strategy: Improve transportation infrastructure.

- Invest in Oro Valley transportation infrastructure such as bike routes, transit, and multi-use paths, as well as loop connections to Pima County.
- Monitor, determine, and develop action strategies to address transportation and infrastructure needs as issues arise, including right-of-way and safety issues.
- Promote and support public safety programs like Traffic Incident Management and High Visibility Enforcement to reduce primary and secondary traffic collisions.
- Continue to work with Arizona Department of Transportation (ADOT) to improve traffic flow on Oracle Road, including the request for ADOT to evaluate the synchronization of traffic lights.
- Continue and improve the pavement preservation program and provide timely notifications regarding schedule and traffic restrictions.

Strategy: Improve Town resources and processes.

- Manage assets through inventory such as sites, infrastructure, systems, etc.
- Promote Town of Oro Valley assets by utilizing various channels, such as organizations like Visit Tucson.
- Improve processes to allow appropriate flexibility to regulations (e.g. sign code), streamline processes, determine new practices, encourage innovation, and implement new ideas.
- Invest in technology, automated processes, and build applications that tie into website, MUNIS, and/or intranet.
- Communicate and network with other jurisdictions, developers, and consultants on processes and uniform regulations.

Strategy: Continue our commitment to environmental stewardship.

- Promote water conservation through partnerships, education, and monitoring.
- Implement the Energy Efficiency Project for the wells and pumps in the water system.

Strategy: Deliver a safe and reliable water system to all Water Utility customers.

- Meet and comply with all water quality standards and regulatory requirements.
- Complete the Advanced Metering Infrastructure Project for the Oro Valley Water Service Area.
- Partner with Tucson Water to amend the Reclaimed Water Intergovernmental Agreement.
- Plan for the delivery of additional Central Arizona Project water for new growth.



Town Council Regular Session

Item # 1.

Meeting Date: 02/18/2015

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 11 (HOTEL/MOTEL) LIQUOR LICENSE FOR THE HILTON TUCSON EL CONQUISTADOR GOLF & TENNIS RESORT LOCATED AT 10000 N. ORACLE ROAD

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 11 Liquor License.

EXECUTIVE SUMMARY:

An application for an interim and new Series 11 (Hotel/Motel) Liquor License has been submitted by Agent Kevin Kramber for the Hilton Tucson El Conquistador Golf & Tennis Resort located at 10000 N. Oracle Road.

Mr. Kramber 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 hotel/motel license to sell and serve all types of spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises. The restaurant on the licensed premises must derive at least forty percent (40%) of its gross revenue from the sale of food. The holder of this license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is provided by a key or magnetic card device and may not be furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.

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 January 28, 2015. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on the Hilton Tucson El Conquistador

Golf & Tennis Resort and Agent Kevin Kramber. Chief Sharp has no objection to the approval of the Series 11 (Hotel/Motel) 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 11 Liquor License to the Arizona Department of Liquor Licenses and Control for Kevin Kramber for the Hilton Tucson El Conquistador Golf & Tennis Resort located at 10000 N. Oracle Road.

Attachments

Hilton El Conquistador Series 11 Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish

FROM:  Daniel G. Sharp

DATE: 22 January 2015

RE: Application for Liquor License Renewal
Hilton El Conquistador, 10000 N. Oracle Rd

On January 22, 2015, the Oro Valley Police Department completed the standard background investigation on Hilton El Conquistador, for the purpose of Acquisition of Control.

The Oro Valley Police Department has no objection for the reissuance of a liquor license to Hilton El Conquistador located at 10000 N. Oracle Rd.

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

14 DEC 18 11:49 AM 12332

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) _____

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

1. Type of License(s): # 11 - HOTEL / MOTEL 11103088
N/A Department Use Only
2. Total fees attached: \$ _____

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. KRAMBER, Kevin 1044336
(Insert one name ONLY to appear on license) Last First Middle B1053631
2. Corp./Partnership/L.L.C.: HSL EL CONQUISTADOR, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.) B1009631
3. Business Name: HILTON TULSON EL CONQUISTADOR GOLF & TENNIS RESORT
(Exactly as it appears on the exterior of premises)
4. Principal Street Location: 10000 N. ORACLE RD. ORO VALLEY Pima 85704
(Do not use PO Box Number) City County Zip
5. Business Phone: (520) 544-8000 Daytime Phone: _____ Email: Kevin@_____
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: _____
8. Price paid for license only bar, beer and wine, or liquor store: Type N/A \$ N/A Type N/A \$ N/A

DEPARTMENT USE ONLY				
Fees:	<u>100⁰⁰</u>	<u>100⁰⁰</u>	<u>50⁰⁰</u>	<u>22⁰⁰</u>
	Application	Interim Permit	Site Inspection	Finger Prints
				\$ <u>272⁰⁰</u>
TOTAL OF ALL FEES				
Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
Accepted by:	<u>CS</u>	Date:	<u>12/18/14</u>	Lic. # <u>11103088</u>

License Type: Series 11 Hotel/Motel

This non-transferable, on-sale retail privileges liquor license allows the holder of a hotel/motel license to sell and serve all types of spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises. The restaurant on the licensed premises must derive at least forty percent (40%) of its gross revenue from the sale of food. The holder of this license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is provided by a key or magnetic card device and may not be furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m.



Town Council Regular Session

Item # 2.

Meeting Date: 02/18/2015

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 6 (BAR) LIQUOR LICENSE FOR THE EL CONQUISTADOR COUNTRY CLUB LOCATED AT 10555 N. LA CANADA DRIVE

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 6 Liquor License.

EXECUTIVE SUMMARY:

An application for an interim and person transfer of a Series 6 (Bar) Liquor License has been submitted by Agent Kevin Kramber for the El Conquistador Country Club located at 10555 N. La Canada Drive.

Mr. Kramber 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:

The bar (series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar. A hotel or motel with a Series 06 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the

hours of 2:00 a.m. and 6:00 a.m. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

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 January 28, 2015. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on the El Conquistador Country Club and Agent Kevin Kramber. Chief Sharp has no objection to the approval of the Series 6 (Bar) 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 6 Liquor License to the Arizona Department of Liquor Licenses and Control for Kevin Kramber for the El Conquistador Country Club located at 10555 N. La Canada Drive.

Attachments

El Conquistador Country Club Series 6 Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish
FROM:  Daniel G. Sharp
DATE: 22 January 2015
RE: Application for Liquor License Renewal
Hilton El Conquistador Country Club
10555 N. La Canada

On January 22, 2015, the Oro Valley Police Department completed the standard background investigation on Hilton El Conquistador Country Club, for the purpose of Acquisition of Control.

The Oro Valley Police Department has no objection for the reissuance of a liquor license to Hilton El Conquistador Country Club located at 10555 N. La Canada.

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

14 DEC 18 14P. LIC. PM1218

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) _____

SECTION 3 Type of license and fees LICENSE #(s): 06100138 N/A

1. Type of License(s): #6-Bar
N/A
2. Total fees attached: \$ 2000 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. HAMBAL DAVID DAVID
(Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: HSL EL CONQUISTADOR, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: EL CONQUISTADOR COUNTRY CLUB
(Exactly as it appears on the exterior of premises)
4. Principal Street Location 10555 N. LA CANADA DR. ORO VALLEY PIMA 85734
(Do not use PO Box Number) City County Zip
5. Business Phone: (520) 544-1900 Daytime Phone: [REDACTED] Email: Kevin [REDACTED]
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: [REDACTED]
8. Price paid for license only bar, beer and wine, or liquor store: Type #6 \$ 30,000 - Type N/A \$ N/A

DEPARTMENT USE ONLY

Fees: 1000 Application 1000 Interim Permit Site Inspection Finger Prints \$ 2000 **TOTAL OF ALL FEES**

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

Accepted by: AE Date: 12/18/2014 Lic. # 06100138

License Type: Series 6 Bar

The bar (series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar. A hotel or motel with a Series 06 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.



Town Council Regular Session

Item # 3.

Meeting Date: 02/18/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING PERSONNEL POLICY 14 - OVERTIME

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Zinkin and Councilmember Garner have requested that the item be placed on the agenda for discussion.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to _____



Town Council Regular Session

Item # **4.**

Meeting Date: 02/18/2015
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO INITIATE A ZONING CODE AMENDMENT TO SECTION 28.1 (SIGNS) FOR WINDOW SIGN AND BALLOON STANDARDS

RECOMMENDATION:

Staff recommends initiation to allow consideration of a proposed zoning code change.

EXECUTIVE SUMMARY:

Businesses within the Town have requested a number of revisions to the Town's current Sign Code. Two of those revisions, window signs and balloons, are the focus of this request.

The Zoning Code currently establishes the following criteria for window signs and balloons:

- Window Signs: Prohibits illumination.
- Balloons: Currently prohibited.

Please see the Table provided in Attachment 1 for additional information relative to the specific requests from area businesses and potential changes to address business concerns. Should Town Council choose to initiate the amendment, staff is seeking direction on the topics indicated below as included in Attachment 1.

- Window sign illumination
- Use of balloons for grand openings
 - Type, size, amount and permitted locations for balloons.
 - Length of time balloons may be displayed in conjunction with grand openings. Typically, grand opening-type signs are permitted for a period of (10) days. Staff reviewed neighboring jurisdictions and found the City of Tucson permits balloons to be displayed during grand openings for a period of 10 days.

BACKGROUND OR DETAILED INFORMATION:

The Zoning Code establishes standards for a variety of sign types for use within the Town. Area businesses have requested a number of revisions to the Sign Code to allow for better visibility and business promotion. Two of the revisions regularly requested include illumination of window signs and the use of balloons. The existing standards for both are outlined below:

- Window Signs: Currently, the Zoning Code does not permit illuminated window signs.
- Balloons: Currently, the Zoning Code prohibits the use of balloons for advertising.

Area businesses have requested illuminated window signs and the use of balloons in a variety of applications, including:

- Allow regular size balloons during grand openings
- Inflatable balloons (i.e. restaurant mascots, inflatable tire for tire store, etc.)
- Allow balloons to be affixed to approved A-frame signs
- Allow balloons along street frontages

Should Town Council choose to initiate the amendment, staff is seeking direction on the topics listed below to enable further development and refinement of a proposed amendment.

- Appropriateness of window sign illumination
- Type, size, amount and permitted locations for balloons
- Length of time balloons may be used in conjunction with grand openings. Typically, grand opening type signs are permitted for a period of (10) days. Staff reviewed neighboring jurisdictions and found the City of Tucson permits balloons for a period of 10 days when associated with a grand opening

See Attachment 1 for an overview of business owner requests and potential changes.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to initiate a zoning code amendment to Section 28.1 (Signs) to consider changes to window sign and balloon standards.

Attachments

Attachment 1

Sign Type	Requests by Business	Town Sign Code	Potential Remedy
 <p data-bbox="384 682 647 725">Window Sign</p>	<p data-bbox="792 275 1284 486">Provide option for more illuminated window signs usually in the form of graphics (i.e.: liquor logos, ice cream cones and other neon graphics).</p>	<p data-bbox="1319 297 1666 329">Cannot be illuminated.</p>	<p data-bbox="1783 297 2168 376">Allow one illuminated window graphic as a sign.</p>
 <p data-bbox="430 1322 601 1360">Balloons</p>	<p data-bbox="792 825 1217 905">Allow balloons during grand openings.</p> <p data-bbox="792 958 1251 1082">Allow inflatable balloons (i.e. Restaurant mascots, inflatable tire for tire store)</p> <p data-bbox="792 1139 1251 1219">Allow balloons affixed to A-frame and monument signs.</p> <p data-bbox="792 1272 1207 1352">Allow balloons along street frontages.</p>	<p data-bbox="1319 825 1684 858">Balloons are prohibited.</p>	<p data-bbox="1783 801 2211 925">Allow display of traditional round balloons during grand opening events.</p> <p data-bbox="1783 982 2237 1062">Balloons may be displayed for no more than 10 days.</p> <p data-bbox="1783 1115 2237 1282">Balloons to be located near the building entrance and will not be permitted along street frontages.</p>



Town Council Regular Session

Item # 5.

Meeting Date: 02/18/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE IMPLEMENTATION OF ORDINANCE (O)14-17, AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Zinkin and Councilmember Garner have requested that this item be placed on the agenda.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to _____.



Town Council Regular Session

Item # 6.

Meeting Date: 02/18/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING POSTPONEMENT OF THE FINAL PURCHASE OF THE EL CONQUISTADOR GOLF AND COUNTRY CLUB AND ASSOCIATED PROPERTIES

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Zinkin and Councilmember Garner have requested the item be placed on the agenda.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to _____



Town Council Regular Session

Item # 7.

Meeting Date: 02/18/2015
Requested by: Councilmember Garner & Councilmember Zinkin
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING APPROVAL OF PURCHASE AND OPERATOR CONTRACTS RELATING TO THE EL CONQUISTADOR COUNTRY CLUB AND GOLF COURSE

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Garner and Councilmember Zinkin have requested that the item be placed on the agenda for discussion.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE _____
