*AMENDED (11/16/15, 2:30 PM)
AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
November 18, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION - Pursuant to ARS 38-431.03 (A) (1) for discussion and consideration of a possible personnel action against Councilmember Zinkin and 38-431.03 (A) (3) for legal advice regarding same

***OPEN SESSION** - DISCUSSION AND POSSIBLE ACTION REGARDING PERSONNEL ACTION AGAINST COUNCILMEMBER ZINKIN
(Item updated on 11/17/15 at 4:45 p.m.)

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

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 - October 28 and November 4, 2015

B. Visit Tucson Quarterly Report: July 1, 2015 - September 30, 2015

C. Greater Oro Valley Chamber of Commerce Quarterly Report: July 1, 2015 - September 30, 2015

D. Fiscal Year 2015/16 Financial Update through August 2015

E. Approval of conceptual public art for the Stone Canyon Golf Clubhouse, located near the northern terminus of Hohokam Village Place in Rancho Vistoso

F. Resolution No. (R)15-67, authorizing and approving Amendment 3 to Addendum 1 of the Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson telating to effluent and reclaimed water

G. Consent for the Town Manager, Human Resources Director and Town Attorney to take action as was discussed in Executive Session

H. Resolution No. (R)15-69 declaring and adopting the results of the Oro Valley Recall Election held on November 3, 2015 **(**Item updated on 11/12/15 at 4:00 p.m.)**

REGULAR AGENDA

1. AMENDING VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) (27.7.E.6.B; 23.8B; 25.1.E; 27.7D; 27.7.G.4.e; ADDING 25.1X; 27.10.D.3; 2.1.P.1) RELATED TO SENIOR CARE USES INCLUDING AMENDMENTS TO DEFINITIONS, ALLOWABLE ZONING DISTRICTS AND DEVELOPMENT STANDARDS

   A. RESOLUTION NO. (R)15-68, DECLARING THE PROPOSED AMENDMENTS TO VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) (27.7.E.6.B; 23.8B; 25.1.E; 27.7D; 27.7.G.4.e; ADDING 25.1X; 27.10.D.3; 2.1.P.1) RELATING TO SENIOR CARE FACILITIES, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

   B. PUBLIC HEARING: ORDINANCE NO. (O)15-16, AMENDING VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) (27.7.E.6.B; 23.8B; 25.1.E; 27.7D; 27.7.G.4.e; ADDING 25.1X; 27.10.D.3; 2.1.P.1) RELATED TO SENIOR CARE USES INCLUDING AMENDMENTS TO DEFINITIONS, ALLOWABLE ZONING DISTRICTS AND DEVELOPMENT STANDARDS

2. MOTION FOR RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF ORDINANCE NO. (O)15-14, PROVIDING FOR AMENDMENTS TO THE NAKOMA SKY PLANNED AREA DEVELOPMENT (PAD), THE PROPOSED AMENDMENTS INCLUDE ADOPTION OF A REVISED TENTATIVE DEVELOPMENT PLAN AND CHANGES TO THE ARCHITECTURAL CONCEPT FOR THE PLANNED SENIOR CARE FACILITY ON 77 ACRES LOCATED AT THE SOUTHEAST CORNER OF 1 ST AVENUE AND NARANJA DRIVE

3. MOTION FOR RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF THE CONSENT FOR THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS TO COMPLETE THE ACQUISITION OF REAL PROPERTY NEAR THE AREA OF MAGEE AND ORACLE ROADS

   a. IF MOTION FOR RECONSIDERATION IS APPROVED: RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF THE CONSENT FOR THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS TO COMPLETE THE ACQUISITION OF REAL PROPERTY NEAR THE AREA OF MAGEE AND ORACLE ROADS

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

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

ADJOURNMENT

POSTED: 11/10/15 at 5:00 p.m. by mrs

AMENDED AGENDA POSTED: 11/16/15 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 #**

Meeting Date: 11/18/2015

Requested by: Tobin Sidles **Submitted By:** Mike Standish, Town Clerk's Office

Department: Legal

Information

SUBJECT:

***OPEN SESSION** - DISCUSSION AND POSSIBLE ACTION REGARDING PERSONNEL ACTION AGAINST COUNCILMEMBER ZINKIN
(Item updated on 11/17/15 at 4:45 p.m.)

RECOMMENDATION:

NA

EXECUTIVE SUMMARY:

NA

BACKGROUND OR DETAILED INFORMATION:

NA

FISCAL IMPACT:

NA

SUGGESTED MOTION:

NA

Attachments

Memo

TO: Dr. Satish I. Hiremath, Mayor; Lou Waters, Vice Mayor; Brendan Burns, Councilmember; William Garner, Councilmember; Joe Hornat, Councilmember; Mary Snider; Councilmember, Mike Zinkin, Councilmember

CC: Greg Caton, Town Manager; Bill Sullivan, Town Attorney

FROM: Gary Bridget, Human Resources Director; Tobin Sidles, Legal Services Director

DATE: November 17, 2015

RE: Public Report re: Complaint regarding Councilmember Zinkin's Comments during Oct. 21, 2015 Council Meeting

On the Council agenda for November 18, 2015 is a personnel matter associated with a complaint regarding comments made by Councilman Zinkin to Town Staff during the October 21, 2015 Council Meeting. Councilman Zinkin has notified the Town Clerk that he would like this personnel matter conducted in a public meeting rather than in Executive Session. This memo provides general background on the matter.

Personnel Policy No. 21

In furtherance of its efforts to create and maintain a work environment in which people are treated with dignity, decency and respect and to foster mutual trust and the absence of intimidation, oppression and exploitation, the Town has adopted the Workplace, Harassment & Non-Discrimination Policy. The Policy is attached hereto as Exhibit 1. This Policy is intended to provide a framework to ensure the Town complies with its affirmative obligation to prevent harassment pursuant to the Civil Rights Act of 1964.

The Complaint

A complaint was submitted by supervisor Bayer Vella following the October 21, 2015 Council meeting relating to statements made by Councilmember Zinkin during that Council meeting. These statements may be found on the Granicus recording of the open meeting on 10/21/15. A partial transcript of the Council meeting is attached as Exhibit 2, starting at 1:19:59 during which the following comments were made by Councilmember Zinkin:

1) "Bayer is still trying to grow a beard."
2) "Elisa has new people in her family . . ."
3) " . . . I think that put you in labor at one point, but uh, it worked."

As directed by Personnel Policy 21, the employees involved in the complaint were interviewed as part of the investigation conducted by the H.R. Director. All of them state they

were offended by the comments made in this particular situation and context, including the supervisor who filed the complaint.

Prior Complaints and Town Responses

According to the Town records, Councilmember Zinkin has had nine prior incidents over a three year period involving allegations of potential discrimination, sexual harassment, hostile working environment and one instance of retaliation for engaging in protected reporting activity. In response to the prior incidents, the Town has taken the following actions:

1) Verbal warnings by the Town Manager.
2) A written warning to Councilman Zinkin from the Mayor.
3) A letter to Councilmember Zinkin from the Mayor including a warning and asking for his attention in the matter.
4) A renewed verbal warning to Councilmember Zinkin from the Town Manager.
5) A written warning to Councilmember Zinkin from the Town Manager.
6) Secured a report from an outside law firm providing advice and recommendations regarding the Town's harassment policies and procedures.

Councilmember Zinkin also has, on several occasions, apologized after making comments.

Status and Possible Actions

Following investigation, the matter is given over to the Town Council in order to make any decisions regarding possible actions on this complaint. Such actions might include, but are not necessarily limited to: no action, verbal reprimand, written reprimand, denial of access to employee areas, agenda items on proper behavior, other training, apologies, or any combination of the above or other sanctions designed to stop the conduct.

Town Council Regular Session **Item # A.**

Meeting Date: 11/18/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - October 28 and November 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 October 28 and November 4, 2015 minutes.

Attachments

10/28/15 Draft Minutes

11/4/15 Draft Minutes

MINUTES
ORO VALLEY TOWN COUNCIL
SPECIAL SESSION
October 28, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

SPECIAL SESSION AT OR AFTER 3:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 3:00 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

1. DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FOR A HAND COUNT AUDIT BY PIMA COUNTY OF A RANDOMLY SELECTED ORO VALLEY RACE (MAYORAL OR COUNCILMEMBER) FOR THE NOVEMBER 3, 2015 RECALL ELECTION

Legal Services Director Tobin Sidles presented item #1.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Pima County's request to include an Oro Valley race in its hand count audit under the following circumstances:

1. Pima County agrees it is convinced it has the legal authority to request this hand count outside the statutes and it agrees no lawsuit would be filed by Pima County against Oro Valley or any of its officers.
2. The result of this hand count may not be used to affect the outcome of any election under the statutes, if it is, the Town's permission is withdrawn because it then violates state law.
3. Pima County agrees to pay all the associated costs of the hand count.
4. If any lawsuit is filed, Pima County agrees to pay any and all of the costs associated with any defense and any appeal as necessary.

Discussion ensued amongst Council and staff regarding the request from Pima County to approve a hand count audit for an Oro Valley race for the November 3, 2015 recall election.

MOTION carried, 7-0.

ADJOURNMENT

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Garner to adjourn the meeting at 3:21 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 special session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 28th day of October, 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

DRAFT

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
November 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 Joe Hornat, Councilmember Mary Snider, Councilmember
ABSENT:	Bill Garner, Councilmember Mike Zinkin, Councilmember

EXECUTIVE SESSION - Pursuant to A.R.S. Section 38-431.03 (A) (7), discussion regarding the purchase or lease of real property near the area of Magee and Oracle Roads

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to go into Executive Session at 5:02 p.m. pursuant to A.R.S.Sections 38-431.03 (A) (7), for discussion regarding the purchase or lease of real property near the area of Magee and Oracle Roads.

MOTION carried, 5-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorney Bill Sullivan, Legal Services Director Tobin Sidles, Police Chief Daniel Sharp, Police Commander Aaron Lesuer and Town Clerk Julie Bower.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

DRAFT

ROLL CALL

PRESENT:

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

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORTS

No reports were received.

DEPARTMENT REPORTS

Economic Development Manager Amanda Jacobs gave an overview of the Shop Oro Valley Holiday Campaign that would take place from November 2, 2015 through January 4, 2016.

ORDER OF BUSINESS

Mayor Hiremath reviewed the order of business and stated that the order would stand as posted.

INFORMATIONAL ITEMS

1. FY 2015-2016 1st Quarter Public Safety Providers Reports

2. Letter of Appreciation - Oro Valley Police Department

CALL TO AUDIENCE

Oro Valley resident Linda Patterson discussed her concerns with the recent recall election.

DRAFT

PRESENTATIONS

1. Presentation by Arts and Culture Ambassadors

Arts and Culture Ambassadors Dick Eggerding and Sasha Case introduced Sue Ziesmer Trinacty, director of Sunshine School in Oro Valley.

Ms. Trinacty gave an overview of the art work on display in the Council Chambers, created by three, four and five year olds from Sunshine School in Oro Valley.

Dick Eggerding and Sasha Case introduced the artwork on display in the Council Chambers which includes pieces of artwork created by Sunshine School, Immaculate Heart School, Resurrection Lutheran Child Development Center and Mis Manos Montessori School.

2. Proclamation - American Diabetes Month, November 2015

Mayor Hiremath proclaimed November 2015 as American Diabetes Month in Oro Valley, Arizona.

Diane Bristow, representative for the American Diabetes Association gave an overview of her personal experience with type 1 insulin dependent diabetes. Mrs. Bristow also spoke of the 2015 "Step Out in Tucson" diabetes walk held at Rillito Downs on November 15th, 2015.

3. Presentation of certificates to graduates of the Community Academy – Local Governance 101 class

Senior Planner Rosevelt Arellano gave an overview of the 2015 Community Academy and recognized the following graduates in attendance.

Molly Dreisinger	Laura King
Ted Dreisinger	Fred Root
Laura Hamilton	Henry Sheetz
Douglas Higgins	Carrie Shockley
Patti Higgins	Richard Tracy
Jim Wilde	Barbara Wilde

CONSENT AGENDA

Councilmember Snider requested that item (B) be removed from the Consent Agenda for discussion.

A. Minutes - October 21, 2015

DRAFT

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve Consent Agenda item (A).

MOTION carried, 7-0.

B. Consent for the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to direct the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads putting a $350,000 cap on the negotiation with an additional $5,000 for possible incidental and closing costs.

MOTION carried, 6-1 with Councilmember Garner opposed.

REGULAR AGENDA

1. PUBLIC HEARING: THE YOUR VOICE, OUR FUTURE PROJECT AND REQUEST TO TENTATIVELY ADOPT THE YOUR VOICE, OUR FUTURE 90% PLAN

Elisa Hamblin, Long Range Principal Planner, presented the Your Voice, Our Future 90% draft plan and outlined the following:

- Your Voice, Our Future Project
- Project Schedule
- Where we've been: Phase 1
- Survey Results
- Oro Valley's Vision
- Where We've been: Phase 2
- Committee Challenges
- Review Drafts
- Vision and Guiding Principles
- A True Community Process
- A Proactive Plan

Marilyn Lane, Oro Valley resident and Your Voice, Our Future, Community Committee Member, gave an overview of the Community Committee Process and discussed the following:

- Community Goals and Policies
  - Community Goals
  - Economy
- Complete Community
  - Healthy Lifestyle

- Neighborhoods
- Lifelong Learning
- Town Services, Buildings and Facilities
- Community Vision and Guiding Principles

Bob Swope, Oro Valley resident and Your Voice, Our Future, Environment Committee Member, gave an overview of the Environment Committee and discussed the following:

- Environment Vision & Guiding Principles
- Environment Goals and Policies

Mike Schoeppach, Oro Valley resident and Your Voice, Our Future, Development Committee Member, gave an overview of the Development Committee and presented the following:

- Development Goals and Policies
- Development Vision and Guiding Principles
- Land Use Map

Ms. Hamblin presented and discussed the following:

- Getting to Work: Actions
- Your Voice, Our Future Plan
- What's Next
- Tonight

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and Ms. Hamblin regarding the Your Voice, Our Future 90% Plan.

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Zinkin to endorse the Your Voice, Our Future 90% Plan as written in Attachment 1 with the condition and modifications as written in Attachment 2.

MOTION carried, 7-0.

2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED FRY'S FUEL CENTER LOCATED WITHIN THE ROONEY RANCH SHOPPING CENTER NEAR THE SOUTHWEST CORNER OF ORACLE ROAD AND 1ST AVENUE

DRAFT

ORDINANCE NO. (O)15-15, ADOPTING A PLANNED AREA DEVELOPMENT TEXT AMENDMENT TO REVISE LOCATIONAL REQUIREMENTS FOR FUEL CENTERS WITHIN THE ROONEY RANCH PAD

CONDITIONAL USE PERMIT FOR A PROPOSED FUEL CENTER WITHIN THE ROONEY RANCH SHOPPING CENTER, OV815-002

CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR A PROPOSED FRY'S FUEL CENTER WITHIN THE ROONEY RANCH SHOPPING CENTER

CONCEPTUAL ARCHITECTURE FOR A PROPOSED FRY'S FUEL CENTER WITHIN THE ROONEY RANCH SHOPPING CENTER

Senior Planner Michael Spaeth gave an overview of the proposed Fry's Fuel Center located within the Rooney Ranch Shopping Center and discussed the following:

- Purpose
- Planned Area Development Amendment
- Conditional Use Permit
- Conditional Use Permit Review Criteria
- Traffic

Development and Infrastructure Director Paul Keesler discussed the traffic characteristics for the proposed Fry's Fuel Center that included the following:

- Traffic
  - Internal Capture
  - Pass-by
  - Destination or Net New Trips
- Existing Site Traffic Distribution

Mr. Spaeth continued the overview of item # 2 and discussed the following:

- Traffic
- Parking Lot Improvements
- Conceptual Site Plan
- Oracle Road Scenic Corridor Overlay District
- Conceptual Landscape Plan
- Conceptual Architecture
- Rooney Ranch Architecture
- Summary and Recommendation

Mayor Hiremath opened the public hearing.

DRAFT

The following individual spoke on item #2.
Oro Valley resident Don Bristow

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council, staff and applicant Ali Fakih regarding the proposed Fry's Fuel Center.

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to adopt Ordinance No. (O)15-15, approving the Planned Area Development text Amendment to the Rooney Ranch Planned Area Development.

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

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve the Conditional Use Permit for the proposed fuel center, finding that the request is consistent with the Conditional Use Permit Review Criteria, subject to the conditions in attachment #2.

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

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve the Conceptual Site Plan and Landscape Plan for the proposed fuel center, finding that the request is consistent with the Rooney Ranch PAD and Design Principals and Standards of the Zoning Code, subject to the conditions in attachment #3.

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

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve the Conceptual Architecture for the proposed fuel center, finding that the request is consistent with the Rooney Ranch PAD and Design Principals and Standards of the Zoning Code, subject to the conditions in attachment #4.

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

Mayor Hiremath recessed the meeting at 7:53 p.m.

Mayor Hiremath reconvened the meeting at 7:59 p.m.

3. PUBLIC HEARING: ORDINANCE NO. (O)15-14, PROVIDING FOR AMENDMENTS TO THE NAKOMA SKY PLANNED AREA DEVELOPMENT (PAD). THE PROPOSED AMENDMENTS INCLUDE ADOPTION OF A REVISED TENTATIVE DEVELOPMENT PLAN AND CHANGES TO THE ARCHITECTURAL CONCEPT FOR THE PLANNED SENIOR CARE FACILITY ON 77 ACRES LOCATED AT THE SOUTHEAST CORNER OF 1ST AVENUE

DRAFT

AND NARANJA DRIVE

Senior Planner Chad Daines gave an overview of item # 3 that included the following:

- Purpose
- Location
- Background
- Comparison - Approved and Proposed Plans
- Approved Architectural Concept
- Proposed Architectural Concept
- Recommendation

Applicant and CEO of La Posada and Nakoma Sky, Lisa Israel gave a presentation and overview of the benefits to Oro Valley for the proposed current plan.

Rob Longaker with WLB Group, representing the applicant, gave an overview of the proposed Planned Area Development amendments.

Gary Koerner with Three Living Architecture, gave an overview regarding the project design and architecture aspects of the proposed project. Mr. Koerner also answered questions from Council regarding item #3.

Mayor Hiremath opened the public hearing.

The following individuals spoke in support of item #3.

Oro Valley resident Larry Kincaid
Oro Valley resident and President and CEO of the Greater Oro Valley Chamber of Commerce, Dave Perry

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and staff regarding item #3.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adopt Ordinance No. (O)15-14, amending the Nakoma Sky Planned Area Development based on the findings that the proposed changes are generally consistent with the overall intent of the original plan, subject to the conditions in Attachment (A).

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

FUTURE AGENDA ITEMS

Councilmember Zinkin requested a Future Agenda Item for Council to reconsider the vote on Consent Item (B), the acquisition of real property near the area of Magee and Oracle Roads.

Motion dies for lack of second.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn at 9:07 p.m.

MOTION carried, 7-0.

Prepared by:

_____
Michelle Stine
Senior Office Specialist

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 of November, 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

DRAFT

Town Council Regular Session **Item # B.**

Meeting Date: 11/18/2015

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

Department: Town Manager's Office

Information

SUBJECT:

Visit Tucson Quarterly Report: July 1, 2015 - September 30, 2015

RECOMMENDATION:

This report is for information only.

EXECUTIVE SUMMARY:

The FY 2015/16 Financial Participation Agreement (FPA) between the Town of Oro Valley and Visit Tucson stipulates that a quarterly report be compiled by Visit Tucson and submitted to the Economic Development Division and Town Council. The enclosed report satisfies the FPA requirement for the first quarter of FY 2015/16.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 2015/16 FPA between the Town of Oro Valley and Visit Tucson is $215,000 from the Bed Tax Fund.

SUGGESTED MOTION:

N/A

Attachments

Visit Tucson FPA

Visit Tucson Q1 Report

RESOLUTION NO. (R)15-42

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, 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 3rd day of June, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: 6/4/15

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: 6/4/2015

EXHIBIT "A"

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of July, 2015, 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 2015-16 (July 1, 2015 – June 30, 2016). The performance measures for FY 2016-17 (July 1, 2016 – June 30, 2017) will be determined at the end of FY 2015-16. The performance measures for FY 2017-18 (July 1, 2017 – June 30, 2018) will be determined at the end of FY 2016-2017.

Town of Oro Valley
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Convention Sales & Sports	
Leads for Oro Valley properties	255
Site Inspections for Oro Valley properties	28
Future Bookings for Oro Valley properties	23
Future Room Nights for Oro Valley properties	10,500
Travel Industry Sales	
Leads/services for Oro Valley properties	35
Tour operators receiving Oro Valley promotion	750
Tour operator catalog impressions for Oro Valley properties	1,000,000
Communications	
Oro Valley will be featured in the Official Visitors Guide, along with the surrounding jurisdictions	yes
Provide Oro Valley with a 1/3-page ad in printed 2016 Official Visitors Guide & full-page ad in iPad version of the guide	yes
Promote Oro Valley events & attractions on CVB's website & social media sites. Information will be provided by Economic Development Division staff or New Media Developer.	yes
Marketing	
Feature Oro Valley's aquatic facility in online sports facility guide	yes
Produce a finished video of Oro Valley Aquatic Center and Oro Valley Community and Recreation Center and El Conquistador Golf and Tennis, which can be used on CVB website, Oro Valley website and promoting the destination to special event operators.	yes
Generate unique visitors to MTCVB web site	1,100,000
Generate unique visitors to Oro Valley via MTCVB web site	25,000

Town of Oro Valley
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Provide quarterly reports with monthly breakouts of unique visitors to the VisitOroValley.org microsite to the New Media Developer and Economic Development Manager for these relevant pages: **http://www.visittucson.org/about/oro-valley/** **http://www.visittucson.org/about/oro-valley/accommodations/** **http://www.visittucson.org/about/oro-valley/restaurants/** **http://www.visittucson.org/about/oro-valley/arts-entertainment/** **http://www.visittucson.org/about/oro-valley/outdoor-recreation/ the report** **The report should include the following information:** **Total Unique Users for Month** **Demographics** **• Age** **• Gender** **Location (Top 10)** **Technology (Top 10)** **• Browser & Operating System** **• Mobile Device & mobile operating system** **Top 10 Referrals to VisitOroValley.org Microsite** **Pageviews, Bounce Rate and Average Session Duration**	yes
Town officials may attend trade shows with Visit Tucson. Town officials will be responsible for their travel expenses; however, Visit Tucson will cover the registration fees for Town officials, with those fees counting toward the tourism-activities rebate to the Town.	yes
Host www.visitorovalley.org and update the site, based on information provided by the Economic Development Manager or New Media Developer.	yes
Promote Oro Valley as a Winter Training destination for Cycling & Swimming on CVB's website & social media sites.	yes

Town of Oro Valley
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Tucson Sports	
Provide total tourism based direct spending and total tourism based impact numbers from Visit Tucson Sports events held in Oro Valley	yes
Film	
Scout Steam Pump Ranch and other Oro Valley destinations for film opportunities	yes
Provide information on equipment, crew and local suppliers as needed	yes
Provide information to film and television companies about locations and accommodations in Oro Valley, as needed	yes
General Support	
Rebate 5% of Oro Valley's 2015-16 investment in Visit Tucson into tourism-related activities that benefit the Town	$10,750
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	yes
One Town official will serve on MTCVB Board of Directors	yes

Section 4. Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, $215,000 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.

Town of Oro Valley
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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.

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.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 11. Term of Agreement

This Agreement between parties as described above shall be effective from July 1, 2015 through June 30, 2018.

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.
C. If the Town annexes any resorts or hotels, or new resorts or hotels are built in the Town during this agreement, the payments the Agency receives from the Town will be renegotiated.

At the end of the FY2017/18 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.
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, 2018.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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 $215,000 for FY2015/16. The Agency will receive an amount not to exceed $250,000 for FY2016-17 and an amount not to exceed $275,000 for FY2017-18. 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, 2015. 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.

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.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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

ATTEST:

Julie K. Bower, as Town Clerk
not personally

Date: 6/4/15

APPROVED AS TO FORM:

Tobin Sidles as Legal Services Director and
and not personally

Date: 6/4/15

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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

Brent DeRaad

Agency Representative
and not personally

Title President + CEO

State of Arizona)
) ss.
County of)

On this 15 day of June, 2015, Brent 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 June 15, 2015.

Ronda Thomas

Notary

My Commission Expires: 23rd March, 2016

RONDA THOMAS
Notary Public - Arizona
Pima County
My Comm. Expires Mar 23, 2016

100 South Church Avenue 520.624.1817
Tucson, Arizona 85701 800.638.8350
visitTucson.org f. 520.884.7804

QUARTERLY PROGRESS REPORT
July through September 2015
Submitted To: Amanda Jacobs, Economic Development Manager
By: Brent DeRaad, President/CEO
In accordance with Resolution No. (R) 15-42

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 El Conquistador Golf & Tennis and Tohono Chul Park.

Key Measures of Performance	Adopted FY 2016	Current Quarter	FYTD 2016	FYTD 2015
Convention Sales				
Sales Leads	255	87	87	80
Site Inspections	28	11	11	9
Future Bookings	23	7	7	11
Room Nights of Future Bookings	10,500	2,649	2,649	3,209
Travel Industry Sales				
Leads/Services	35	15	15	13
Promote to Targeted Tour Operator Clients	750	387	387	313
Impressions Via Tour Operator Catalogs	1,000,000	80,000	80,000	964,100
Marketing				
Unique Visitors to Visit Tucson Website	1,100,000	196,710	196,710	325,468
Unique Visitors to Oro Valley via Visit Tucson Website	25,000	6,131	6,131	7,952

Visit Tucson's 2015-16 Budgeted Revenue

	Budget	Percentage
Pima County:	$3,200,000	43%
City of Tucson:	$3,185,000	42%
Town of Oro Valley:	$215,000	3%
Pascua Yaqui Nation:	$75,000	1%
Tohono O'odham Nation:	$75,000	1%
Private Sector:	$756,550	10%
Total:	**$7,506,550**	**100%**

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Additional 2015-16 Visit Tucson Performance Measures

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

Result: The 2016 Official Visitors Guide will be published in February 2016 including information about Oro Valley and its tourism assets, such as Hilton Tucson El Conquistador Resort and El Conquistador Golf & Tennis.

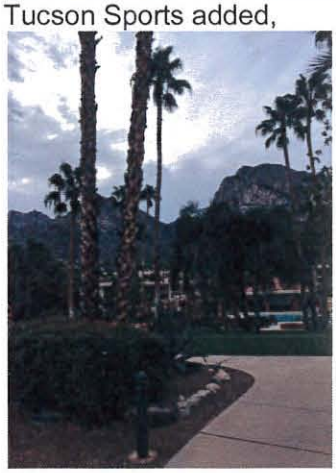
2. **Provide Oro Valley with a 1/3-page ad in the printed 2016 Official Visitors Guide & a full-page ad in the iPad version of the guide.**

Result: This will be fulfilled in February.

3. **Promote Oro Valley events and attractions on Visit Tucson's website and social media sites. Information will be provided by Economic Development division staff or by New Media Developer.**

Results:

Tucson Sports @TucsonSports Sep 10
Tucson Sports retweeted David Babner
Thanks @David_M3S Can't wait for @AZDistance 2016 & Welcoming all ur athletes to @VisitTucsonAZ #sportstourism
Tucson Sports added,



David Babner @David_M3S
Looking forward to meeting with our partners this week for the @AZDistance. @OroValleyAZGov @TucsonSports

Tucson Sports @TucsonSports Sep 6
Another great #sportstourism wknd in the books! Enjoy @VisitTucsonAZ & c u next wknd @fastAZswimteam meet at the OVAC

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Tucson AZ @VisitTucsonAZ Aug 26
Pusch Ridge Stables is offering a Moonlight Ride tomorrow night on August 27th - bit.ly/1hlBRBc

Tucson AZ retweeted
Aug 18
Another hot one today! Pool bound! Photo taken at @HiltonElCon @VisitTucsonAZ #photography

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

Result: The Oro Valley Aquatic Center is featured year-round in Visit Tucson Sports' online sports facility guide: http://www.visittucson.org/sports/facilities/aquaov/

5. **Produce a finished video of Oro Valley Aquatic Center and Oro Valley Community and Recreation Center and El Conquistador Golf and Tennis, which can be used on Visit Tucson's website, Oro Valley's website and promoting the destination to special event operators.**

Result: Visit Tucson will produce this video prior to June 30, 2016.

6. **Provide quarterly reports with monthly breakouts of unique visitors to the VisitOroValley.org microsite to the New Media Developer and Economic Development Manager for these relevant pages:**

http://www.visittucson.org/about/oro-valley/
http://www.visittucson.org/about/oro-valley/accommodations/
http://www.visittucson.org/about/oro-valley/restaurants/
http://www.visittucson.org/about/oro-valley/arts-entertainment/
http://www.visittucson.org/about/oro-valley/outdoor-recreation/

The report should include the following information: 1) total users for the month; 2) demographics, including age and gender; 3) location (top 10); 4) technology (top 10), including browser & operating system and mobile device & mobile operating system; 5) top 10 referrals to VisitOroValley.org microsite; 6) page views; 7) bounce rate; and 8) average session duration.

Result: This report for July-September 2015 is attached.

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7. **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 with those fees counting toward the tourism-activities rebate to the Town.**

Result: Angel Natal, director of Visit Tucson Sports, and Logan McNutt, assistant manager of Oro Valley Aquatic Center, met recently with swimming coaches from throughout the world to promote the aquatic center as a venue for training and competitions. They engaged those coaches at the American Swim Coaches Association world clinic in Cleveland, Sept. 9-12. Visit Tucson paid the $1,300 tradeshow booth cost, while Visit Tucson and the Town covered their respective travel expenses.

The first lead from that show is Neptune Aquatic Club in Michigan, which is looking at bringing a 35-person travel party to stay in Oro Valley and work out at the aquatic center in late December.

8. **Host www.visitorovalley.org and update the site based on information provided by the Economic Development Manager or New Media Developer.**

Result: A thorough list of accommodations, arts & entertainment, outdoor recreation and restaurants is listed on the website. Visit Tucson works with Town staff to update information on this website.

9. **Promote Oro Valley as a winter training destination for cycling and swimming on Visit Tucson's website and social media sites.**

Result:

- Winter training at Oro Valley Aquatic Center is featured at: http://www.visittucson.org/about/winter-training-capital/training-in-tucson/
- Oro Valley is featured as an ideal destination for cycling, running and hiking at: http://www.visittucson.org/about/winter-training-capital/training/cycling/

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

Result: The direct spending from sports events is $548,701 based on 1,201 visitors using 576 room nights.

11. **Scout Steam Pump Ranch and other Oro Valley destinations for film opportunities.**

Result:

- We filmed at Hilton El Conquistador Resort this spring to get resort and pool footage for Visit Tucson's "Top of the World" video, which was released in September. Here is a link to the video, which garnered more than 28,000 completed views during its first month: http://www.visittucson.org/TopOfTheWorld

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12. **Provide information on equipment, crew and local suppliers, as needed, to producers of film, television and commercial projects considering shooting in Oro Valley.**

Result: We are providing information about Oro Valley on an ongoing basis to producers of independent films, commercials, reality television series and photo shoots, who are scouting locations in southern Arizona.

13. **Rebate 5% ($10,750) of Oro Valley's 2015-16 investment in Visit Tucson into tourism-related activities that benefit the Town.**

Result: Visit Tucson Sports spent $1,300 in September on a tradeshow booth at the American Swim Coaches Association's world clinic in Cleveland.

14. **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.

15. **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 7 meetings booked between July 1 – Sept. 30, 2015 by the Hilton El Conquistador Resort and the Red Lion Inn & Suites Tucson North from Visit Tucson leads is $635,885.

Visit Tucson Earns DMAP Reaccreditation

- In September, Visit Tucson received a four-year accreditation renewal from Destination Marketing Association International's Destination Marketing Accreditation Program (DMAP). The DMAP accreditation runs through July 2019. Visit Tucson was initially accredited in 2011.
- Visit Tucson is one of 200 destination marketing organizations (DMOs) throughout the world, which is DMAP accredited.
- The program requires DMOs to comply successfully with 53 mandatory and voluntary standards in marketing, governance, finance, human resources, sales, communications, destination development and research.

Google Analytics

Result #6

http://www.visittucson.org - http://www.... www.visittucson.org Go to this report

Content Drilldown

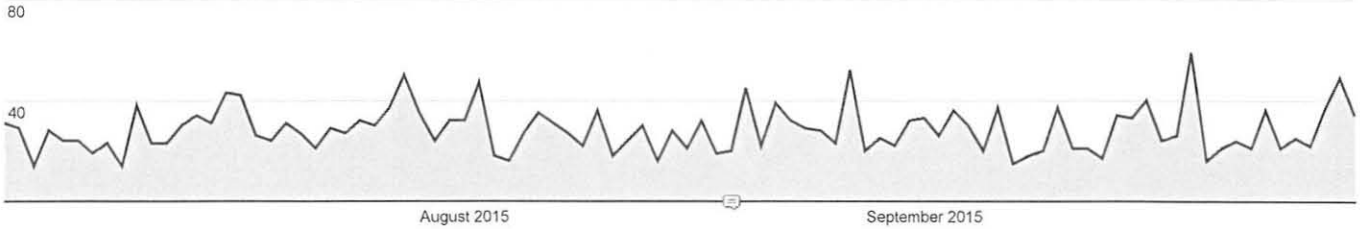
Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/

All Sessions
0.37%

Explorer

Pageviews



Page path level 3	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	2,616 % of Total: 0.37% (711,748)	2,079 % of Total: 0.38% (552,013)	00:01:09 Avg for View: 00:01:41 (-31.64%)	50.56% Avg for View: 39.64% (27.55%)	22.63% Avg for View: 33.71% (-32.87%)
1. /	817 (31.23%)	634 (30.50%)	00:00:58	47.62%	18.85%
2. /accommodations/	656 (25.08%)	526 (25.30%)	00:01:15	47.69%	22.41%
3. /arts-entertainment/	432 (16.51%)	364 (17.51%)	00:01:20	52.63%	20.37%
4. /restaurants/	416 (15.90%)	313 (15.06%)	00:01:01	56.67%	31.73%
5. /outdoor-recreation/	284 (10.86%)	235 (11.30%)	00:01:22	43.48%	24.65%
6. /?maxshow=10	6 (0.23%)	4 (0.19%)	00:00:22	0.00%	0.00%
7. /town/	3 (0.11%)	1 (0.05%)	00:05:10	0.00%	33.33%
8. /aquatics/	1 (0.04%)	1 (0.05%)	00:00:05	0.00%	0.00%
9. /business/	1 (0.04%)	1 (0.05%)	00:04:10	0.00%	0.00%

Rows 1 - 9 of 9

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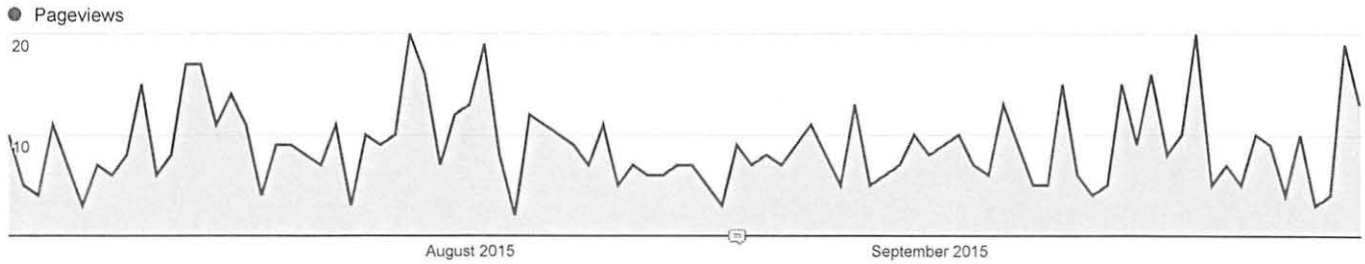
Content Drilldown

Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE: /about/oro-valley/

All Sessions
0.11%

Explorer



Page	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	817 % of Total: 0.11% (711,748)	634 % of Total: 0.11% (552,013)	00:00:58 Avg for View: 00:01:41 (-42.31%)	47.62% Avg for View: 39.64% (20.12%)	18.85% Avg for View: 33.71% (-44.08%)
1. /about/oro-valley/	**817(100.00%)**	634(100.00%)	00:00:58	47.62%	18.85%

Rows 1 - 1 of 1

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Content Drilldown

Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE: /about/oro-valley/

All Sessions
0.11%

Explorer

Page	Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		815 % of Total: 0.11% (711,748)	632 % of Total: 0.11% (552,013)	00:00:58 Avg for View: 00:01:41 (-42.18%)	47.62% Avg for View: 39.64% (20.12%)	18.90% Avg for View: 33.71% (-43.95%)
1. /about/oro-valley/	organic	**453 (55.58%)**	362 (57.28%)	00:00:59	40.00%	16.34%
2. /about/oro-valley/	(none)	**157 (19.26%)**	106 (16.77%)	00:01:01	45.71%	22.29%
3. /about/oro-valley/	referral	**125 (15.34%)**	99 (15.66%)	00:00:48	70.59%	28.80%
4. /about/oro-valley/	cpc	**76 (9.33%)**	61 (9.65%)	00:01:09	0.00%	11.84%
5. /about/oro-valley/	EMAIL	**2 (0.25%)**	2 (0.32%)	00:00:06	0.00%	0.00%
6. /about/oro-valley/	vt-fb	**2 (0.25%)**	2 (0.32%)	00:00:42	0.00%	0.00%

Rows 1 - 6 of 6

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Content Drilldown

Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE: /about/oro-valley/

All Sessions
0.11%

Explorer

	Page	Browser	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
			815 % of Total: 0.11% (711,748)	632 % of Total: 0.11% (552,013)	00:00:58 Avg for View: 00:01:41 (-42.18%)	47.62% Avg for View: 39.64% (20.12%)	18.90% Avg for View: 33.71% (-43.95%)
1.	/about/oro-valley/	Chrome	**290 (35.58%)**	227 (35.92%)	00:00:53	57.89%	23.45%
2.	/about/oro-valley/	Safari	**230 (28.22%)**	178 (28.16%)	00:01:00	50.00%	21.30%
3.	/about/oro-valley/	Internet Explorer	**189 (23.19%)**	144 (22.78%)	00:01:12	16.67%	13.76%
4.	/about/oro-valley/	Firefox	**76 (9.33%)**	61 (9.65%)	00:00:46	0.00%	11.84%
5.	/about/oro-valley/	Android Browser	**8 (0.98%)**	6 (0.95%)	00:01:04	0.00%	0.00%
6.	/about/oro-valley/	Amazon Silk	**7 (0.86%)**	6 (0.95%)	00:00:33	0.00%	0.00%
7.	/about/oro-valley/	Safari (in-app)	**6 (0.74%)**	4 (0.63%)	00:00:58	0.00%	0.00%
8.	/about/oro-valley/	Edge	**5 (0.61%)**	3 (0.47%)	00:00:55	50.00%	20.00%
9.	/about/oro-valley/	Opera	**2 (0.25%)**	1 (0.16%)	00:00:25	0.00%	0.00%
10.	/about/oro-valley/	Coc Coc	**1 (0.12%)**	1 (0.16%)	00:00:15	0.00%	0.00%

Rows 1 - 10 of 11

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE: /about/oro-valley/

All Sessions
0.11%

Explorer

	Page	Source / Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
			815 % of Total: 0.11% (711,748)	632 % of Total: 0.11% (552,013)	00:00:58 Avg for View: 00:01:41 (-42.18%)	47.62% Avg for View: 39.64% (20.12%)	18.90% Avg for View: 33.71% (-43.95%)
1.	/about/oro-valley/	google / organic	**336 (41.23%)**	268 (42.41%)	00:00:59	40.00%	15.48%
2.	/about/oro-valley/	(direct) / (none)	**157 (19.26%)**	106 (16.77%)	00:01:01	45.71%	22.29%
3.	/about/oro-valley/	google / cpc	**76 (9.33%)**	61 (9.65%)	00:01:09	0.00%	11.84%
4.	/about/oro-valley/	yahoo / organic	**76 (9.33%)**	61 (9.65%)	00:00:56	50.00%	17.11%
5.	/about/oro-valley/	bing / organic	**37 (4.54%)**	29 (4.59%)	00:01:03	20.00%	18.92%
6.	/about/oro-valley/	m.visittucson.org / referral	**18 (2.21%)**	12 (1.90%)	00:00:56	50.00%	22.22%
7.	/about/oro-valley/	visittucson.org / referral	**14 (1.72%)**	12 (1.90%)	00:00:37	0.00%	28.57%
8.	/about/oro-valley/	jobs.raytheon.com / referral	**9 (1.10%)**	8 (1.27%)	00:00:44	0.00%	33.33%
9.	/about/oro-valley/	bing.com / referral	**8 (0.98%)**	7 (1.11%)	00:00:28	0.00%	12.50%
10.	/about/oro-valley/	tucsonguide.com / referral	**8 (0.98%)**	5 (0.79%)	00:01:30	0.00%	12.50%

Rows 1 - 10 of 52

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE: /about/oro-valley/

All Sessions
0.11%

Explorer

	Page	City	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
			815 % of Total: 0.11% (711,748)	632 % of Total: 0.11% (552,013)	00:00:58 Avg for View: 00:01:41 (-42.18%)	47.62% Avg for View: 39.64% (20.12%)	18.90% Avg for View: 33.71% (-43.95%)
1.	/about/oro-valley/	Tucson	**92 (11.29%)**	66 (10.44%)	00:00:38	41.67%	19.57%
2.	/about/oro-valley/	Oro Valley	**37 (4.54%)**	26 (4.11%)	00:00:39	55.56%	24.32%
3.	/about/oro-valley/	Phoenix	**28 (3.44%)**	23 (3.64%)	00:00:39	60.00%	14.29%
4.	/about/oro-valley/	Casas Adobes	**24 (2.94%)**	14 (2.22%)	00:00:42	66.67%	20.83%
5.	/about/oro-valley/	(not set)	**23 (2.82%)**	14 (2.22%)	00:00:58	0.00%	8.70%
6.	/about/oro-valley/	Houston	**14 (1.72%)**	10 (1.58%)	00:01:48	0.00%	21.43%
7.	/about/oro-valley/	Los Angeles	**12 (1.47%)**	9 (1.42%)	00:02:10	0.00%	8.33%
8.	/about/oro-valley/	Denver	**9 (1.10%)**	7 (1.11%)	00:00:50	0.00%	11.11%
9.	/about/oro-valley/	Scottsdale	**8 (0.98%)**	5 (0.79%)	00:00:33	0.00%	25.00%
10.	/about/oro-valley/	White Lake charter Township	**8 (0.98%)**	3 (0.47%)	00:02:35	0.00%	0.00%

Rows 1 - 10 of 374

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /accommodations/

All Sessions
0.09%

Explorer

Page path level 4	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	656 % of Total: 0.09% (711,748)	526 % of Total: 0.10% (552,013)	00:01:15 Avg for View: 00:01:41 (-26.24%)	47.69% Avg for View: 39.64% (20.31%)	22.41% Avg for View: 33.71% (-33.52%)
1. /	**633** (96.49%)	510 (96.96%)	00:01:16	48.44%	22.59%
2. /?maxshow=10	**23** (3.51%)	16 (3.04%)	00:00:27	0.00%	17.39%

Rows 1 - 2 of 2

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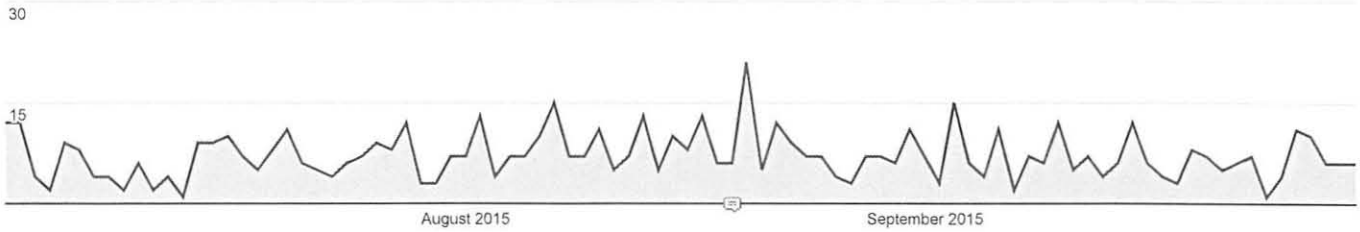
Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /accommodations/

All Sessions
0.09%

Explorer

Pageviews



Page path level 4	Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		654 % of Total: 0.09% (711,748)	525 % of Total: 0.10% (552,013)	00:01:15 Avg for View: 00:01:41 (-26.00%)	47.69% Avg for View: 39.64% (20.31%)	22.48% Avg for View: 33.71% (-33.32%)
1. /	organic	**377 (57.65%)**	310 (59.05%)	00:01:30	43.90%	20.95%
2. /	cpc	**88 (13.46%)**	69 (13.14%)	00:01:02	16.67%	15.91%
3. /	referral	**87 (13.30%)**	66 (12.57%)	00:00:48	85.71%	28.74%
4. /	(none)	**72 (11.01%)**	57 (10.86%)	00:00:50	60.00%	30.56%
5. /?maxshow=10	organic	**9 (1.38%)**	6 (1.14%)	00:00:36	0.00%	33.33%
6. /?maxshow=10	cpc	**6 (0.92%)**	6 (1.14%)	00:00:20	0.00%	16.67%
7. /?maxshow=10	referral	**5 (0.76%)**	2 (0.38%)	00:00:19	0.00%	0.00%
8. /	vt-fb	**3 (0.46%)**	3 (0.57%)	00:00:42	0.00%	66.67%
9. /?maxshow=10	(none)	**3 (0.46%)**	2 (0.38%)	00:00:34	0.00%	0.00%
10. /	(not set)	**1 (0.15%)**	1 (0.19%)	00:00:46	0.00%	0.00%

Rows 1 - 10 of 13

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ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /accommodations/

All Sessions
0.09%

Explorer

Page path level 4	Browser	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		654 % of Total: 0.09% (711,748)	525 % of Total: 0.10% (552,013)	00:01:15 Avg for View: 00:01:41 (-26.00%)	47.69% Avg for View: 39.64% (20.31%)	22.48% Avg for View: 33.71% (-33.32%)
1. /	Chrome	**197 (30.12%)**	156 (29.71%)	00:01:27	40.00%	22.34%
2. /	Safari	**194 (29.66%)**	151 (28.76%)	00:01:08	61.54%	28.35%
3. /	Internet Explorer	**179 (27.37%)**	146 (27.81%)	00:01:17	20.00%	16.76%
4. /	Firefox	**56 (8.56%)**	51 (9.71%)	00:01:10	57.14%	21.43%
5. /?maxshow=10	Internet Explorer	**11 (1.68%)**	9 (1.71%)	00:00:29	0.00%	9.09%
6. /?maxshow=10	Chrome	**8 (1.22%)**	4 (0.76%)	00:00:18	0.00%	25.00%
7. /	Edge	**3 (0.46%)**	3 (0.57%)	00:00:41	100.00%	33.33%
8. /?maxshow=10	Safari	**3 (0.46%)**	2 (0.38%)	00:00:37	0.00%	0.00%
9. /	Android Browser	**1 (0.15%)**	1 (0.19%)	00:00:02	0.00%	0.00%
10. /	Safari (in-app)	**1 (0.15%)**	1 (0.19%)	00:00:00	0.00%	100.00%

Rows 1 - 10 of 11

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /accommodations/

All Sessions
0.09%

Explorer

Page path level 4		City	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
			654 % of Total: 0.09% (711,748)	525 % of Total: 0.10% (552,013)	00:01:15 Avg for View: 00:01:41 (-26.00%)	47.69% Avg for View: 39.64% (20.31%)	22.48% Avg for View: 33.71% (-33.32%)
1.	/	Tucson	**66 (10.09%)**	56 (10.67%)	00:00:41	75.00%	21.21%
2.	/	Phoenix	**27 (4.13%)**	22 (4.19%)	00:01:02	50.00%	22.22%
3.	/	Oro Valley	**24 (3.67%)**	21 (4.00%)	00:01:22	0.00%	16.67%
4.	/	Chicago	**9 (1.38%)**	8 (1.52%)	00:00:17	100.00%	44.44%
5.	/	Albuquerque	**8 (1.22%)**	5 (0.95%)	00:00:43	0.00%	0.00%
6.	/	Mill Creek	**8 (1.22%)**	2 (0.38%)	00:04:07	50.00%	25.00%
7.	/	(not set)	**7 (1.07%)**	7 (1.33%)	00:00:21	0.00%	14.29%
8.	/	Los Angeles	**6 (0.92%)**	6 (1.14%)	00:00:31	66.67%	33.33%
9.	/	San Diego	**6 (0.92%)**	5 (0.95%)	00:02:10	66.67%	66.67%
10.	/	Houston	**6 (0.92%)**	5 (0.95%)	00:00:23	50.00%	50.00%

Rows 1 - 10 of 325

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Jul 1, 2015 - Sep 30, 2015

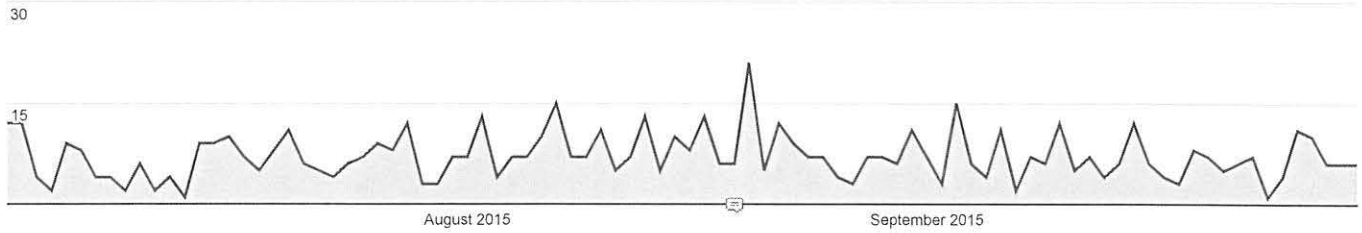
Some data in this report may have been removed when a threshold was applied. Learn more

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /accommodations/

All Sessions
0.09%

Explorer

Pageviews



Page path level 4	Age	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		402 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:21 Avg for View: 00:01:41 (-20.08%)	47.50% Avg for View: 39.64% (19.82%)	21.89% Avg for View: 33.71% (-35.06%)
1. /	55-64	**111 (27.61%)**	94 (30.03%)	00:01:22	50.00%	23.42%
2. /	65+	**105 (26.12%)**	75 (23.96%)	00:00:59	66.67%	20.95%
3. /	45-54	**68 (16.92%)**	53 (16.93%)	00:01:15	37.50%	19.12%
4. /	25-34	**51 (12.69%)**	42 (13.42%)	00:02:11	50.00%	27.45%
5. /	35-44	**46 (11.44%)**	34 (10.86%)	00:01:25	33.33%	21.74%
6. /	18-24	**21 (5.22%)**	15 (4.79%)	00:01:24	100.00%	14.29%

Rows 1 - 6 of 6

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /arts-entertainment/

All Sessions
0.06%

Explorer

Page path level 4	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	432 % of Total: 0.06% (711,748)	364 % of Total: 0.07% (552,013)	00:01:20 Avg for View: 00:01:41 (-21.07%)	52.63% Avg for View: 39.64% (32.77%)	20.37% Avg for View: 33.71% (-39.57%)
1. /	**432(100.00%)**	364(100.00%)	00:01:20	52.63%	20.37%

Rows 1 - 1 of 1

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /arts-entertainment/

All Sessions
0.06%

Explorer

Pageviews

Page path level 4	Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		432 % of Total: 0.06% (711,748)	364 % of Total: 0.07% (552,013)	00:01:20 Avg for View: 00:01:41 (-21.07%)	52.63% Avg for View: 39.64% (32.77%)	20.37% Avg for View: 33.71% (-39.57%)
1. /	organic	**271 (62.73%)**	236 (64.84%)	00:01:26	48.28%	22.88%
2. /	cpc	**74 (17.13%)**	62 (17.03%)	00:00:56	0.00%	16.22%
3. /	referral	**50 (11.57%)**	36 (9.89%)	00:01:29	100.00%	8.00%
4. /	(none)	**35 (8.10%)**	28 (7.69%)	00:01:17	71.43%	25.71%
5. /	banner	**1 (0.23%)**	1 (0.27%)	00:00:00	0.00%	100.00%
6. /	GoogleCPC	**1 (0.23%)**	1 (0.27%)	00:00:27	0.00%	0.00%

Rows 1 - 6 of 6

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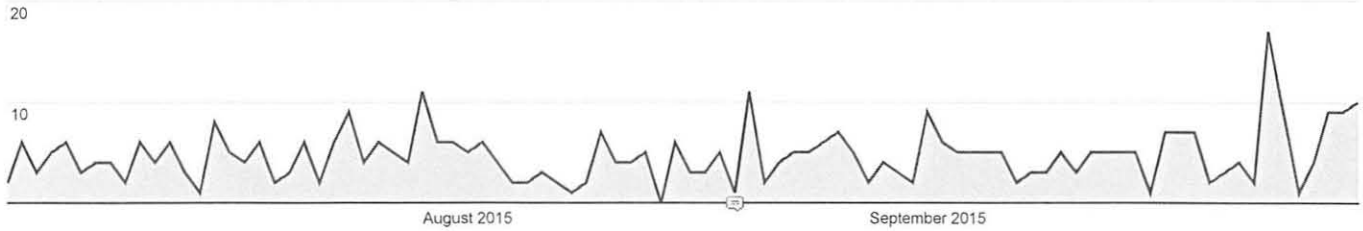
Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /arts-entertainment/

All Sessions
0.06%

Explorer

Pageviews



Page path level 4	City	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		432 % of Total: 0.06% (711,748)	364 % of Total: 0.07% (552,013)	00:01:20 Avg for View: 00:01:41 (-21.07%)	52.63% Avg for View: 39.64% (32.77%)	20.37% Avg for View: 33.71% (-39.57%)
1. /	Tucson	**110 (25.46%)**	90 (24.73%)	00:01:52	55.56%	27.27%
2. /	Phoenix	**35 (8.10%)**	30 (8.24%)	00:01:04	100.00%	14.29%
3. /	Oro Valley	**31 (7.18%)**	24 (6.59%)	00:02:18	20.00%	22.58%
4. /	Casas Adobes	**19 (4.40%)**	10 (2.75%)	00:01:35	0.00%	0.00%
5. /	(not set)	**12 (2.78%)**	11 (3.02%)	00:01:07	25.00%	41.67%
6. /	Los Angeles	**8 (1.85%)**	7 (1.92%)	00:01:40	100.00%	25.00%
7. /	Catalina Foothills	**8 (1.85%)**	6 (1.65%)	00:01:19	100.00%	37.50%
8. /	Scottsdale	**6 (1.39%)**	4 (1.10%)	00:00:23	0.00%	0.00%
9. /	Mesa	**5 (1.16%)**	5 (1.37%)	00:01:04	0.00%	40.00%
10. /	San Diego	**5 (1.16%)**	2 (0.55%)	00:01:35	0.00%	0.00%

Rows 1 - 10 of 159

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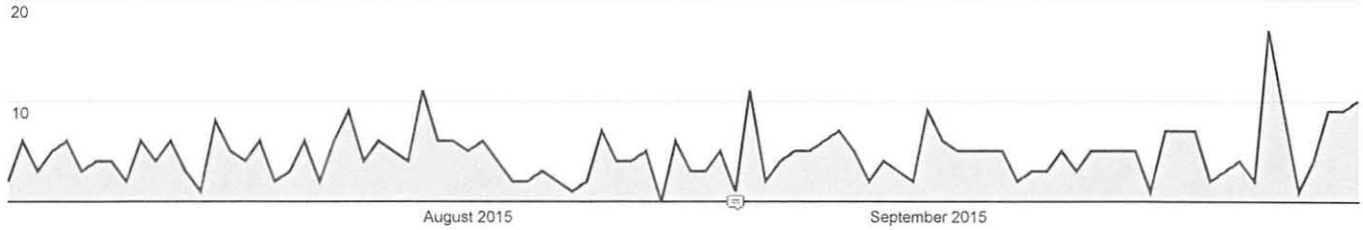
Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /arts-entertainment/

All Sessions
0.06%

Explorer

Pageviews



Page path level 4	Browser	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		432 % of Total: 0.06% (711,748)	364 % of Total: 0.07% (552,013)	00:01:20 Avg for View: 00:01:41 (-21.07%)	52.63% Avg for View: 39.64% (32.77%)	20.37% Avg for View: 33.71% (-39.57%)
1. /	Chrome	**157 (36.34%)**	124 (34.07%)	00:01:28	52.94%	23.57%
2. /	Safari	**120 (27.78%)**	106 (29.12%)	00:01:29	54.55%	15.83%
3. /	Internet Explorer	**87 (20.14%)**	78 (21.43%)	00:01:00	50.00%	21.84%
4. /	Firefox	**49 (11.34%)**	44 (12.09%)	00:01:14	66.67%	20.41%
5. /	Android Browser	**13 (3.01%)**	7 (1.92%)	00:01:06	0.00%	15.38%
6. /	Amazon Silk	**3 (0.69%)**	3 (0.82%)	00:00:49	0.00%	0.00%
7. /	Safari (in-app)	**2 (0.46%)**	1 (0.27%)	00:01:29	0.00%	50.00%
8. /	Edge	**1 (0.23%)**	1 (0.27%)	00:00:13	0.00%	0.00%

Rows 1 - 8 of 8

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /restaurants/

All Sessions
0.06%

Explorer

Page path level 4	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	416 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:01 Avg for View: 00:01:41 (-39.76%)	56.67% Avg for View: 39.64% (42.95%)	31.73% Avg for View: 33.71% (-5.87%)
1. /	409 (98.32%)	309 (98.72%)	00:01:02	56.67%	32.27%
2. /?maxshow=10	7 (1.68%)	4 (1.28%)	00:00:22	0.00%	0.00%

Rows 1 - 2 of 2

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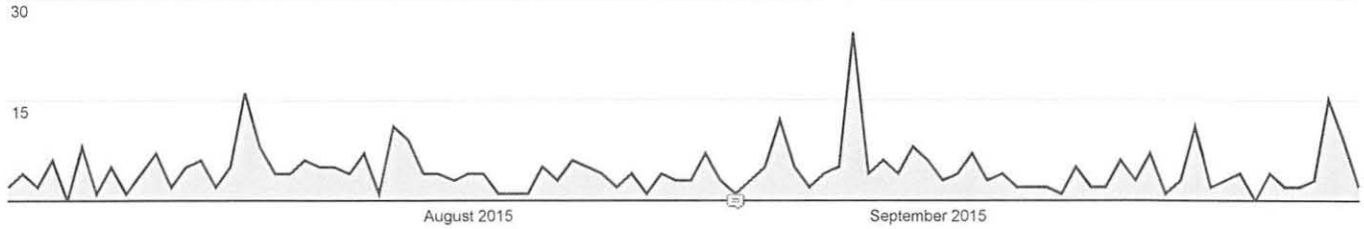
Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /restaurants/

All Sessions
0.06%

Explorer

Pageviews



Page path level 4	Source	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		416 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:01 Avg for View: 00:01:41 (-39.76%)	56.67% Avg for View: 39.64% (42.95%)	31.73% Avg for View: 33.71% (-5.87%)
1. /	google	239 (57.45%)	194 (61.98%)	00:00:47	53.85%	37.66%
2. /	(direct)	50 (12.02%)	36 (11.50%)	00:01:23	64.29%	36.00%
3. /	yahoo	35 (8.41%)	25 (7.99%)	00:00:28	57.14%	14.29%
4. /	bing	21 (5.05%)	14 (4.47%)	00:03:31	50.00%	14.29%
5. /	visittucson.org	18 (4.33%)	4 (1.28%)	00:01:27	0.00%	5.56%
6. /	m.visittucson.org	8 (1.92%)	6 (1.92%)	00:00:49	0.00%	25.00%
7. /	vt-social	5 (1.20%)	4 (1.28%)	00:00:30	0.00%	20.00%
8. /?maxshow=10	yahoo	5 (1.20%)	3 (0.96%)	00:00:22	0.00%	0.00%
9. /	aol	4 (0.96%)	4 (1.28%)	00:00:37	100.00%	25.00%
10. /	bing.com	4 (0.96%)	3 (0.96%)	00:00:47	0.00%	0.00%

Rows 1 - 10 of 27

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Jul 1, 2015 - Sep 30, 2015

ALL » PAGE PATH LEVEL 1: /about/ » PAGE PATH LEVEL 2: /oro-valley/ » PAGE PATH LEVEL 3: /restaurants/

All Sessions
0.06%

Explorer

Page path level 4	City	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		416 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:01 Avg for View: 00:01:41 (-39.76%)	56.67% Avg for View: 39.64% (42.95%)	31.73% Avg for View: 33.71% (-5.87%)
1. /	Tucson	103 (24.76%)	68 (21.73%)	00:01:21	55.26%	40.78%
2. /	Oro Valley	47 (11.30%)	41 (13.10%)	00:01:09	54.84%	53.19%
3. /	Phoenix	26 (6.25%)	21 (6.71%)	00:01:27	55.56%	34.62%
4. /	Los Angeles	20 (4.81%)	15 (4.79%)	00:00:47	66.67%	40.00%
5. /	(not set)	10 (2.40%)	8 (2.56%)	00:00:24	100.00%	30.00%
6. /	South Saint Paul	8 (1.92%)	2 (0.64%)	00:07:01	0.00%	0.00%
7. /	New York	7 (1.68%)	3 (0.96%)	00:00:17	0.00%	14.29%
8. /	Casas Adobes	7 (1.68%)	6 (1.92%)	00:00:33	40.00%	42.86%
9. /	Houston	5 (1.20%)	2 (0.64%)	00:00:14	0.00%	0.00%
10. /	Chandler	4 (0.96%)	3 (0.96%)	00:00:13	100.00%	50.00%

Rows 1 - 10 of 133

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Jul 1, 2015 - Sep 30, 2015

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All Sessions
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Page path level 4	Source / Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		416 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:01 Avg for View: 00:01:41 (-39.76%)	56.67% Avg for View: 39.64% (42.95%)	31.73% Avg for View: 33.71% (-5.87%)
1. /	google / organic	**211 (50.72%)**	175 (55.91%)	00:00:51	55.68%	40.28%
2. /	(direct) / (none)	**50 (12.02%)**	36 (11.50%)	00:01:23	64.29%	36.00%
3. /	yahoo / organic	**35 (8.41%)**	25 (7.99%)	00:00:28	57.14%	14.29%
4. /	google / cpc	**28 (6.73%)**	19 (6.07%)	00:00:30	0.00%	17.86%
5. /	bing / organic	**21 (5.05%)**	14 (4.47%)	00:03:31	50.00%	14.29%
6. /	visittucson.org / referral	**18 (4.33%)**	4 (1.28%)	00:01:27	0.00%	5.56%
7. /	m.visittucson.org / referral	**8 (1.92%)**	6 (1.92%)	00:00:49	0.00%	25.00%
8. /	vt-social / vt-fb	**5 (1.20%)**	4 (1.28%)	00:00:30	0.00%	20.00%
9. /?maxshow=10	yahoo / organic	**5 (1.20%)**	3 (0.96%)	00:00:22	0.00%	0.00%
10. /	aol / organic	**4 (0.96%)**	4 (1.28%)	00:00:37	100.00%	25.00%

Rows 1 - 10 of 28

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All Sessions
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Page path level 4	Browser	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		416 % of Total: 0.06% (711,748)	313 % of Total: 0.06% (552,013)	00:01:01 Avg for View: 00:01:41 (-39.76%)	56.67% Avg for View: 39.64% (42.95%)	31.73% Avg for View: 33.71% (-5.87%)
1. /	Chrome	**135** (32.45%)	98 (31.31%)	00:01:07	62.16%	34.81%
2. /	Safari	**134** (32.21%)	107 (34.19%)	00:00:52	55.10%	35.07%
3. /	Internet Explorer	**76** (18.27%)	62 (19.81%)	00:00:30	52.94%	27.63%
4. /	Firefox	**38** (9.13%)	26 (8.31%)	00:00:42	45.45%	26.32%
5. /	Amazon Silk	**11** (2.64%)	10 (3.19%)	00:00:49	100.00%	45.45%
6. /	Edge	**8** (1.92%)	2 (0.64%)	00:07:01	0.00%	0.00%
7. /?maxshow=10	Internet Explorer	**6** (1.44%)	3 (0.96%)	00:00:22	0.00%	0.00%
8. /	Android Browser	**5** (1.20%)	3 (0.96%)	00:00:40	50.00%	40.00%
9. /	Safari (in-app)	**2** (0.48%)	1 (0.32%)	00:00:36	0.00%	0.00%
10. /?maxshow=10	Safari	**1** (0.24%)	1 (0.32%)	00:00:23	0.00%	0.00%

Rows 1 - 10 of 10

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Jul 1, 2015 - Sep 30, 2015

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All Sessions
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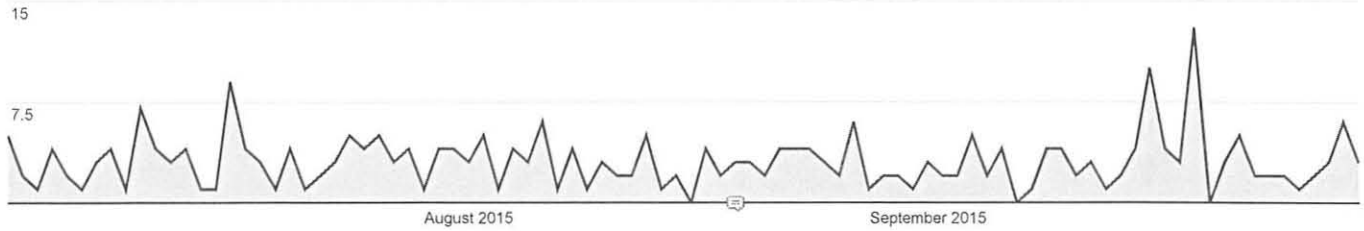

Page path level 4	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
	284 % of Total: 0.04% (711,748)	235 % of Total: 0.04% (552,013)	00:01:22 Avg for View: 00:01:41 (-19.11%)	43.48% Avg for View: 39.64% (9.68%)	24.65% Avg for View: 33.71% (-26.88%)
1. /	**284(100.00%)**	235(100.00%)	00:01:22	43.48%	24.65%

Rows 1 - 1 of 1

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All Sessions
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Page path level 4	Referral Path	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		283 % of Total: 0.04% (711,748)	234 % of Total: 0.04% (552,013)	00:01:22 Avg for View: 00:01:41 (-19.11%)	43.48% Avg for View: 39.64% (9.68%)	24.38% Avg for View: 33.71% (-27.67%)
1. /	(not set)	**255 (90.11%)**	212 (90.60%)	00:01:26	44.44%	25.49%
2. /	/	**9 (3.18%)**	7 (2.99%)	00:00:20	0.00%	22.22%
3. /	/search/GGmain.jhtml	**3 (1.06%)**	3 (1.28%)	00:00:29	0.00%	33.33%
4. /	/about/visitor-center/	**2 (0.71%)**	1 (0.43%)	00:00:58	0.00%	0.00%
5. /	/cms/One.aspx	**2 (0.71%)**	1 (0.43%)	00:02:15	0.00%	0.00%
6. /	/content.cfm	**2 (0.71%)**	2 (0.85%)	00:00:50	0.00%	0.00%
7. /	/listingdetail.cfm	**2 (0.71%)**	1 (0.43%)	00:00:20	0.00%	0.00%
8. /	/listings/Loews-Ventana-Canyon/172/	**2 (0.71%)**	1 (0.43%)	00:00:27	0.00%	0.00%
9. /	/newcomer.html	**2 (0.71%)**	2 (0.85%)	00:01:43	0.00%	50.00%
10. /	/events/calendar/	**1 (0.35%)**	1 (0.43%)	00:02:21	0.00%	0.00%

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All Sessions
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Page path level 4	Browser	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		283 % of Total: 0.04% (711,748)	234 % of Total: 0.04% (552,013)	00:01:22 Avg for View: 00:01:41 (-19.11%)	43.48% Avg for View: 39.64% (9.68%)	24.38% Avg for View: 33.71% (-27.67%)
1. /	Chrome	**96 (33.92%)**	83 (35.47%)	00:00:56	31.25%	26.04%
2. /	Safari	**88 (31.10%)**	69 (29.49%)	00:01:21	42.11%	22.73%
3. /	Internet Explorer	**58 (20.49%)**	49 (20.94%)	00:02:10	66.67%	18.97%
4. /	Firefox	**32 (11.31%)**	26 (11.11%)	00:01:08	75.00%	28.12%
5. /	Android Browser	**4 (1.41%)**	4 (1.71%)	00:01:41	66.67%	75.00%
6. /	Edge	**3 (1.06%)**	1 (0.43%)	00:00:53	0.00%	33.33%
7. /	Amazon Silk	**1 (0.35%)**	1 (0.43%)	00:01:44	0.00%	0.00%
8. /	Safari (in-app)	**1 (0.35%)**	1 (0.43%)	00:00:51	0.00%	0.00%

Rows 1 - 8 of 8

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All Sessions
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Page path level 4	Medium	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		283 % of Total: 0.04% (711,748)	234 % of Total: 0.04% (552,013)	00:01:22 Avg for View: 00:01:41 (-19.11%)	43.48% Avg for View: 39.64% (9.68%)	24.38% Avg for View: 33.71% (-27.67%)
1. /	organic	**181 (63.96%)**	158 (67.52%)	00:01:28	42.50%	27.62%
2. /	(none)	**40 (14.13%)**	26 (11.11%)	00:00:58	50.00%	22.50%
3. /	cpc	**31 (10.95%)**	25 (10.68%)	00:01:48	0.00%	12.90%
4. /	referral	**28 (9.89%)**	22 (9.40%)	00:00:49	0.00%	14.29%
5. /	(not set)	**1 (0.35%)**	1 (0.43%)	00:00:00	0.00%	100.00%
6. /	EMAIL	**1 (0.35%)**	1 (0.43%)	00:00:00	100.00%	100.00%
7. /	GoogleCPC	**1 (0.35%)**	1 (0.43%)	00:00:13	0.00%	0.00%

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All Sessions
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Page path level 4	City	Pageviews	Unique Pageviews	Avg. Time on Page	Bounce Rate	% Exit
		283 % of Total: 0.04% (711,748)	234 % of Total: 0.04% (552,013)	00:01:22 Avg for View: 00:01:41 (-19.11%)	43.48% Avg for View: 39.64% (9.68%)	24.38% Avg for View: 33.71% (-27.67%)
1. /	Tucson	45 (15.90%)	40 (17.09%)	00:02:12	55.56%	33.33%
2. /	Oro Valley	18 (6.36%)	18 (7.69%)	00:01:04	33.33%	44.44%
3. /	(not set)	12 (4.24%)	10 (4.27%)	00:00:48	40.00%	33.33%
4. /	Toronto	6 (2.12%)	2 (0.85%)	00:00:51	0.00%	16.67%
5. /	Phoenix	6 (2.12%)	6 (2.56%)	00:00:50	50.00%	50.00%
6. /	Los Angeles	5 (1.77%)	5 (2.14%)	00:01:33	50.00%	60.00%
7. /	White Lake charter Township	5 (1.77%)	2 (0.85%)	00:01:08	0.00%	0.00%
8. /	Rochester	4 (1.41%)	1 (0.43%)	00:01:17	0.00%	0.00%
9. /	Oregon City	4 (1.41%)	2 (0.85%)	00:00:32	100.00%	25.00%
10. /	Casa Grande	3 (1.06%)	1 (0.43%)	00:00:25	0.00%	0.00%

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Town Council Regular Session **Item # C.**

Meeting Date: 11/18/2015

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: July 1, 2015 - September 30, 2015

RECOMMENDATION:

This report is for information only.

EXECUTIVE SUMMARY:

The 2015/16 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 first quarter of FY 2015/16.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 2015/16 FPA between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce is $30,000 from the Bed Tax Fund.

SUGGESTED MOTION:

N/A

Attachments

Chamber FPA

Chamber First Quarter Report

RESOLUTION NO. (R)15-41

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 3rd day of June, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: 6/4/15

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: 6/4/15

EXHIBIT "A"

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of July, 2015, 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 outlined below are for Fiscal Year 2015/16 (July 1, 2015 – June 30, 2016). The performance measures for FY2016/17 (July 1, 2016 – June 30, 2017) will be determined prior to June 30, 2017. The performance measures for FY2017/18 (July 1, 2017 – June 30, 2018) will be determined prior to June 30, 2018.

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 will coordinate with at least 25 Oro Valley businesses and offer discounts, during the weekend of March 18 – 20, 2016 for the athletes participating in the Arizona Distance Classic.
    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. One of the events will be held at the Oro Valley Annual Tree Lighting Ceremony.
    d. The Chamber will serve as a second distribution point for OV Dollars and will provide minimum total sales of $15,000 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: Shop Oro Valley

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

f. The Chamber will coordinate with existing and new participants of the OV Dollars program and determine their interest in offering incentives, such as "on the first Tuesday of every month from 5 – 7 p.m. receive 10% off your purchase, when you use your OV Dollars card," as part expanding the OV Dollars program.

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 host a quarterly coffee with the 'Mayor and Manager' program that will be open to members and non-members and will be focused on topics occurring/impacting Oro Valley.
   d. The Chamber will arrange volunteer meals for at least two Oro Valley major events, such as the Arizona Swimming Short Course State Championships and the State Golf Tournament Championships.
   e. 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.
   f. The Chamber will assist in providing $10 in OV Dollars to 500 athletes of the 2016 Arizona Distance Classic. The total cost will be split between the Town of Oro Valley, M3S Sports and Visit Tucson. The total cost the Chamber will provide the town is $1,250.
   g. 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.
   h. The Chamber will host at least two events at the Community and Recreation Center.
   i. The Town will receive one complimentary table of 10 for the Annual Chamber meeting.
   j. The Town will receive eight complimentary tables of 10 to the State of the Town of Oro Valley Address and Luncheon.
   k. Annual Chamber membership dues to be paid by the Town shall be included as part of the monetary consideration of this Agreement.
   l. 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.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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.
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.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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 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, 2015 through June 30, 2018. 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.

C. At the end of FY2017/18 the provisions of this agreement will be subject to review and renegotiations by the Town and the Chamber.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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.

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, 2018.

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 from the Town an amount not to exceed $30,000 for FY2015/16, FY2016/17 and FY17/18. 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, 2015. 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 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.

D. 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.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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

ATTEST:

Julie K. Bower, as Town Clerk
and not personally

Date: 6/4/15

APPROVED AS TO FORM:

Tobin Sidles, as Legal Services Director
and not personally

Date: 6/4/15

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

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 9 day of JUNE, 2015, DAVID 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 9, 2015.

Notary

My Commission Expires: 07/30/16

" OFFICIAL SEAL "
Caroline Standiford
Notary Public - Arizona
Pima County
My Commission Expires 7/30/2016

QUARTERLY PROGRESS REPORT
July 1, 2015 – September 30, 2015
Submitted To: Amanda Jacobs, Economic Development Manager
By: Dave Perry, President/CEO
In accordance with Resolution No. (R) 15-41

A. Tourism, Visitors Services and General Information

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

Category	July 2015	Aug 2015	Sept 2015	Total
1. Business Retention Site Visits	0	3	4	**7**
2. OV Dollars Distribution	$2,860	$450	$355	**$3,665**
3. Ribbon Cuttings	1	2	0	**3**
4. Breakfasts, lunches, mixers	2	23	0	**25**
5. Relocation Packages	42	11	18	**71**

1. The Chamber President and/or staff attended Business Retention Site Visits with the following businesses: **Home Depot, McDonald's (Magee/Oracle), Giovanni's Gelato Café, Cattleman's Café 2, Trinity Spa, BASIS Corporate Offices** and **Verizon Wireless.**

2. OV Dollars: The Chamber is responsible for activating and distributing **$15,000** in OV Dollars cards this fiscal year. This quarter the Chamber activated **43 cards** totaling **$3,665,** which includes $260 in Chamber-paid incentives to help promote the Shop Oro Valley Summer Campaign.

   To expand upon the Shop Oro Valley Campaign and OV Dollars program, the Chamber will coordinate at least two "Shop Oro Valley" special events with Oro Valley businesses. The Chamber **partnered with Fraternal Order of Police Lodge #53 on August 25 with the Shop with a Teacher** event at **Target**. Teachers received **OV Dollars** to spend at participating businesses **(Target was encouraged to join the program),** which **totaled $360 from the Chamber.**

3. Ribbon cuttings/ground breakings were held for **Lennar/Discovery at Vistoso Reserve, Leader Law Firm** and **Music and Dance Academy.**

4. 25 Town officials took advantage of the free Chamber breakfasts, luncheons and mixers, to include **10 seats** at the **Chamber's 2015 Annual Meeting and Awards Breakfast** August 8 at the Hilton Tucson El Conquistador Golf and Tennis Resort.

5. 71 relocation packages were distributed in the first quarter.

Additional Information

Pima County Administrator Chuck Huckelberry and bond committee **co-chair Larry Hecker** talked about the **upcoming bond issue** at the Chamber's **July 3 Public Policy Committee meeting.**

The Chamber hosted the first **coffee with the town manager and mayor July 15 at the Oro Valley Holiday Inn Express and Suites.** More than 25 attended.

In late September, Chamber made connections with key people at **Ventana Medical Systems Inc.,** and learned of need to help recruit higher-level director and manager candidates. Chamber connected Ventana to the head of school at **Basis OV** and to the **Amphitheater Public Schools** superintendent, both of whom have made arrangements to meet key candidates when they come to the community.

Chamber assisted **Chris and Lena Bergman** of **Title Boxing Club** as they moved to and learned about Oro Valley.

Network development events conducted by the Chamber in Oro Valley during the quarter were a mixer at **Rejuv Medical Southwest** on July 9; a breakfast with the UA and its Osiris-REX project at the **Oro Valley Country Club** July 16; a mixer at **Bank of the West** on July 23; our annual meeting and awards breakfast, with 370 guests and 32 non-profits, on Aug. 8 at **The Hilton Resort;** a mixer at **Trouvaille Salon** Aug. 13; a mixer at the **Hilton Resort** on Aug. 27; a mixer at **Catalina Springs Memory Care** Sept. 10; and an all-networking breakfast at the **Oro Valley Country Club** on Sept. 17.

Town Council Regular Session **Item # D.**

Meeting Date: 11/18/2015

Requested by: Stacey Lemos **Submitted By:** Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2015/16 Financial Update through August 2015

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through August totaled $4.5 million or 13.9% of the budget amount of $32.2 million. Year-to-date expenditures through August totaled $4.6 million or 14.3% of the budget amount of $32.1 million.

In the Highway Fund (see attachment B), revenues collected through August totaled $516,179 or 16.1% of the budget amount of $3.2 million. Year-to-date expenditures through August totaled $567,123 or 11.7% of the budget amount of $4.9 million. It is important to note that the Highway Fund budget included the planned use of $1.7 million in reserves, as all construction sales tax revenues are now fully accounted for in the General Fund.

In the Bed Tax Fund (see attachment C), revenues collected through August totaled $131,563 or 13.9% of the budget amount of $950,000. Year-to-date expenditures through August totaled $264,931 or 24.4% of the budget amount of $1,087,000. Please note that expenditures through August include the budgeted transfer of approximately $230,000 to the Municipal Debt Service Fund for debt service due on the Aquatic Center bonds.

In the Community Center & Golf Fund (see attachments D-1, D-2 and D-3), revenues collected through August totaled $687,563 or 9.3% of the budget amount of $7.4 million. Year-to-date expenditures through August totaled $1.2 million or 14.9% of the budget amount of $8.2 million.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	$32,162,264
Less:	
Expenditures	($32,038,642)
Less:	
Approved Use of Contingency	($ 30,000) **

Est. Increase in Fund Balance $ 93,622

** Council-approved special election costs

General Fund Revenues

- Local sales tax collections in the General Fund total $2.0 million or 12.9% of the budget amount of $15.4 million. Please see Attachment F for a monthly tracking of General Fund local sales tax collections, including construction and utility sales tax.
- License and permit revenues total $222,205 or 12.6% of the budget amount of $1.8 million.
- State shared revenues total $1.7 million or 16.0% of the budget amount of $10.4 million.
- Charges for Services revenues total $361,443 or 19.3% of the budget amount of $1.9 million.

General Fund Expenditures

- Expenditures are estimated to come in under budget by approximately $34,100 due to projected personnel savings. Please note that these savings are estimates and are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user revenue funds (HURF) total $481,296 or 16.1% of the budget amount of $3.0 million.

Highway Fund Expenditures

- Expenditures are estimated to come in under budget by about $14,300 or 0.3% due to projected personnel savings. Please note that these savings are estimates and are subject to change.

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total $131,033 or 13.9% of the budget amount of $945,000.

Bed Tax Fund Expenditures

- Expenditures are estimated to come in under budget by about $5,600 or 0.5% due to projected personnel savings. Please note that personnel savings are estimates and are subject to change.

COMMUNITY CENTER & GOLF FUND

Community Center & Golf Fund Revenues

- Revenues in the Community Center & Golf Fund total $687,563 or 9.3% of the budget amount of $7.4 million. Contracted operating revenues from Troon total $322,216 and Town operating revenues total $89,793. Local sales tax revenues from the dedicated half-cent sales tax total $275,553 or 13.8% of the budget amount of $2,000,000.

Community Center & Golf Fund Expenditures

- Expenditures in the Community Center & Golf Fund total $1,218,231 or 14.9% of the budget

amount of $8.2 million. Contracted operating expenditures from Troon total $1,118,857 and Town operating expenditures total $89,772. Capital outlay expenditures total $9,601.

- Attachment D-1 shows the consolidated financial status of the Community Center and Golf Fund with all revenues and expenditures from Troon and Town-managed operations.
- Attachment D-2 shows the monthly line item detail for the Troon-managed operations, specifically revenues and expenditures associated with the golf, tennis, food and beverage and lifeguard operations. The totals in the revenue and expenditure categories in Attachment D-2 tie to the Contracted Operating Revenues and Expenditures in Attachment D-1.
- Attachment D-3 shows the revenues and expenditures for the Troon-managed food and beverage operations only.

Please see Attachments A, B and C for additional details on the General Fund, Highway Fund and Bed Tax Fund, respectively. See attachments D-1, D-2 and D-3 for additional details on the Community Center & Golf Fund. See Attachment E for a fiscal year-to-date consolidated summary of all Town funds. In addition, as noted earlier, Attachment F includes a breakdown of monthly local sales tax collections for the General Fund.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund
Attachment B - Highway Fund
Attachment C - Bed Tax Fund
Attachment D-1 CC & Golf Fund
Attachment D-2 Troon Cash Flow
Attachment D-3 Troon F&B
Attachment E - Summary All Funds
Attachment F - Gen Fund Local Sales Tax

August YTD Financial Status

FY 2015/2016

General Fund

% Budget Completion through August --- 16.7%

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LOCAL SALES TAX	1,985,752	15,350,654	12.9%	15,350,654	0.0%
LICENSES & PERMITS	222,205	1,764,000	12.6%	1,764,000	0.0%
FEDERAL GRANTS	78,981	551,545	14.3%	551,545	0.0%
STATE GRANTS	109,532	1,434,300	7.6%	1,434,300	0.0%
STATE/COUNTY SHARED	1,666,779	10,428,531	16.0%	10,428,531	0.0%
OTHER INTERGOVERNMENTAL	25,238	105,000	24.0%	105,000	0.0%
CHARGES FOR SERVICES	361,443	1,873,834	19.3%	1,873,834	0.0%
FINES	25,631	120,000	21.4%	120,000	0.0%
INTEREST INCOME	7,625	94,400	8.1%	94,400	0.0%
MISCELLANEOUS	2,007	135,000	1.5%	135,000	0.0%
TRANSFERS IN	-	305,000	0.0%	305,000	0.0%
TOTAL REVENUES	**4,485,194**	**32,162,264**	**13.9%**	**32,162,264**	**0.0%**

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
COUNCIL	75,743	211,995	35.7%	211,995	0.0%
CLERK	52,459	407,900	12.9%	407,900	0.0%
MANAGER	112,500	769,521	14.6%	769,521	0.0%
HUMAN RESOURCES	44,666	366,775	12.2%	366,775	0.0%
FINANCE	92,102	779,760	11.8%	745,659	-4.4%
INFORMATION TECHNOLOGY	229,867	1,571,326	14.6%	1,571,326	0.0%
GENERAL ADMINISTRATION	267,566	1,804,970	14.8%	1,804,970	0.0%
LEGAL	94,605	764,837	12.4%	764,837	0.0%
COURT	116,052	837,629	13.9%	837,629	0.0%
DEV & INFRASTRUCTURE SVCS	627,503	4,596,216	13.7%	4,596,216	0.0%
PARKS & RECREATION	429,285	3,004,988	14.3%	3,004,988	0.0%
POLICE	2,262,060	15,250,016	14.8%	15,250,016	0.0%
TRANSFERS OUT	197,810	1,706,810	11.6%	1,706,810	0.0%
TOTAL EXPENDITURES	**4,602,217**	**32,072,743**	**14.3%**	**32,038,642**	**-0.1%**
SURPLUS / (DEFICIT)	**(117,023)**	**89,521**		**123,622**	

BEGINNING FUND BALANCE **	***10,151,872***
Plus: Surplus / (Deficit)	***123,622***
Less:	
Approved Use of Contingency Reserves during FY 15/16 - Special Election Costs	***(30,000)***
ENDING FUND BALANCE **	***10,245,494***

* Year-end estimates are subject to further revision

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

ATTACHMENT B

August YTD Financial Status *FY 2015/2016*

Highway Fund

% Budget Completion through August --- 16.7%

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LICENSES & PERMITS	8,251	51,000	16.2%	51,000	0.0%
STATE/COUNTY SHARED	481,296	2,985,464	16.1%	2,985,464	0.0%
CHARGES FOR SERVICES	22,333	134,000	16.7%	134,000	0.0%
INTEREST INCOME	2,857	22,400	12.8%	22,400	0.0%
MISCELLANEOUS	1,443	10,000	14.4%	10,000	0.0%
TOTAL REVENUES	**516,179**	**3,202,864**	**16.1%**	**3,202,864**	**0.0%**

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ADMINISTRATION	306,174	880,396	34.8%	880,396	0.0%
TRANSPORTATION ENGINEERING	78,064	561,772	13.9%	561,772	0.0%
PAVEMENT MANAGEMENT	16,794	1,473,581	1.1%	1,473,581	0.0%
STREET MAINTENANCE	102,604	1,159,510	8.8%	1,145,256	-1.2%
TRAFFIC ENGINEERING	63,487	783,419	8.1%	783,419	0.0%
TOTAL EXPENDITURES	**567,123**	**4,858,678**	**11.7%**	**4,844,424**	**-0.3%**
SURPLUS / (DEFICIT)	**(50,944)**	**(1,655,814)**		**(1,641,560)**	

BEGINNING FUND BALANCE **	***3,291,083***
Plus: Surplus / (Deficit)	***(1,641,560)***
ENDING FUND BALANCE **	***1,649,523***

* Year-end estimates are subject to further revision

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

August YTD Financial Status *FY 2015/2016*

Bed Tax Fund

% Budget Completion through August --- 16.7%

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
BED TAXES	131,033	945,000	13.9%	945,000	0.0%
INTEREST INCOME	530	4,800	11.0%	4,800	0.0%
TOTAL REVENUES	**131,563**	**949,800**	**13.9%**	**949,800**	**0.0%**

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ECONOMIC DEVELOPMENT	35,387	672,732	5.3%	667,104	-0.8%
TRANSFERS OUT	229,544	414,544	55.4%	414,544	0.0%
TOTAL EXPENDITURES	**264,931**	**1,087,276**	**24.4%**	**1,081,648**	**-0.5%**
SURPLUS / (DEFICIT)	**(133,369)**	**(137,476)**		**(131,848)**	

BEGINNING FUND BALANCE **	***464,626***
Plus: Surplus / (Deficit)	***(131,848)***
ENDING FUND BALANCE **	***332,778***

* Year-end estimates are subject to further revision

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

August YTD Financial Status

FY 2015/2016

Community Center & Golf Fund

% Budget Completion through August --- 16.7%

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
CONTRACTED OPERATING REVENUES					
Golf Revenues	80,922	1,771,106	4.6%	1,771,106	0.0%
Member Dues (Golf)	123,163	1,370,867	9.0%	1,370,867	0.0%
Tennis Revenues	34,095	279,837	12.2%	279,837	0.0%
Food & Beverage	63,432	850,852	7.5%	850,852	0.0%
Merchandise & Other	20,604	469,671	4.4%	469,671	0.0%
	322,216	**4,742,333**	**6.8%**	**4,742,333**	**0.0%**
TOWN OPERATING REVENUES					
Daily Drop-Ins	3,172	27,550	11.5%	27,550	0.0%
Member Dues	80,023	526,480	15.2%	526,480	0.0%
Recreation Programs	6,495	84,000	7.7%	84,000	0.0%
Tournaments	-	7,200	0.0%	7,200	0.0%
Facility Rental Income	90	13,200	0.7%	13,200	0.0%
Concession Sales	13	-	0.0%	1,000	0.0%
	89,793	**658,430**	**13.6%**	**659,430**	**0.2%**
OTHER REVENUES					
Local Sales Tax	275,553	2,000,000	13.8%	2,000,000	0.0%
	275,553	**2,000,000**	**13.8%**	**2,000,000**	**0.0%**
TOTAL REVENUES	**687,563**	**7,400,763**	**9.3%**	**7,400,763**	**0.0%**

	Actuals thru 8/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
CONTRACTED OPERATING EXPENDITURES					
Personnel	464,697	2,638,457	17.6%	2,638,457	0.0%
Operations & Maintenance	654,160	3,622,219	18.1%	3,622,219	0.0%
	1,118,857	**6,260,676**	**17.9%**	**6,260,676**	**0.0%**
TOWN OPERATING EXPENDITURES					
Personnel	72,186	462,517	15.6%	462,517	0.0%
Operations & Maintenance	17,586	225,140	7.8%	225,140	0.0%
	89,772	**687,657**	**13.1%**	**687,657**	**0.0%**
CAPITAL OUTLAY	**9,601**	**1,115,000**	**0.9%**	**1,115,000**	**0.0%**
TRANSFER TO GENERAL FUND	**-**	**120,000**	**0.0%**	**120,000**	**0.0%**
TOTAL EXPENDITURES	**1,218,231**	**8,183,333**	**14.9%**	**8,183,333**	**0.0%**
SURPLUS / (DEFICIT)	**(530,668)**	**(782,570)**		**(782,570)**	

BEGINNING FUND BALANCE **	***1,025,222***
Plus: Surplus / (Deficit)	***(782,570)***
ENDING FUND BALANCE **	***242,652***

* Year-end estimates are subject to further revision

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

ATTACHMENT D-2

TROON
El Conquistador Cash Flow Statement

	Actual Jul-15	Actual Aug-15	Actual TOTAL	Original Budget TOTAL
Revenues:				
Golf Fees, net of discounts	41,097	35,549	76,646	1,456,271
Member Golf Fees, net of discounts		-	-	180,000
Range, Rentals, Other Golf related	1,368	1,593	2,961	127,735
Golf Lessons	785	510	1,295	7,100
Total Member Dues	65,377	57,786	123,163	1,370,867
Swim/Tennis Revenues	24,923	9,172	34,095	279,837
Salon/Spa Revenues	-	150	150	-
GOLF PUSCH RIDGE Revenues	-	20	20	-
Merchandise, net of discounts	11,112	9,342	20,454	469,671
Food and Beverage, net of discounts	34,002	29,430	63,432	850,852
Total Revenues	**178,664**	**143,552**	**322,216**	**4,742,333**
Cost of Sales:				
COS - Golf	-	-	-	17,690
COS - Golf Lessons	692	282	974	5,680
COS - Service Commissions	14,268	10,023	24,291	161,791
COS - Merchandise, net of discounts	9,877	5,517	15,394	299,527
COS - Food & Beverage	14,172	11,484	25,656	267,418
Total Cost of Sales	**39,009**	**27,306**	**66,315**	**752,105**
Gross Profit	**139,655**	**116,246**	**255,901**	**3,990,228**
Operating Expenses:				
Payroll	193,325	182,694	376,019	2,182,859
Employee Benefits	40,630	38,531	79,161	406,314
Employee Related	5,644	3,873	9,517	49,284
Professional Fees		-	-	3,975
Advertising & Marketing	5,213		5,213	77,768
Comp Expense		3,340	3,340	-
Repair & Maintenance	53,817	61,662	115,479	488,050
Operating Expenses	27,627	25,858	53,485	413,791
Total Operating Expenses	**326,256**	**315,958**	**642,214**	**3,622,041**
Operating Profit	**(186,601)**	**(199,712)**	**(386,313)**	**368,186**
Leases - Carts	16,440	16,440	32,880	105,000
Leases - Equipment	19,605	22,357	41,962	228,000
Utilities	168,472	141,589	310,061	1,320,391
Fixed Operating Expenses	**204,517**	**180,386**	**384,903**	**1,653,391**
Gross Operating Profit	**(391,118)**	**(380,098)**	**(771,216)**	**(1,285,205)**
Insurance		86	86	85,520
Fees, Permits & Licenses	9	250	259	3,619
Base Management Fees	12,000	12,000	24,000	144,000
Bad Debt		1,080	1,080	-
Total Other Expenses	**12,009**	**13,416**	**25,425**	**233,139**
Net Income (Loss)	**(403,129)**	**(393,514)**	**(796,643)**	**(1,518,343)**

ATTACHMENT D-3

EL CONQUISTADOR
INCOME STATEMENT CONSOLIDATED - RESTAURANT/GRILLE - AUGUST 2015

	ACTUAL MONTH	BUDGET MONTH	ACTUAL Y-T-D	BUDGET Y-T-D
FOOD & BEVERAGE REVENUE	29,430	35,062	63,432	67,684
TOTAL REVENUES	29,430	35,062	63,432	67,684
COST OF SALES	11,484	11,396	25,656	21,946
PAYROLL & BENEFITS	41,254	36,808	90,593	73,616
OPERATING EXPENSES	7,930	7,501	15,461	15,002
NET INCOME (LOSS)	(31,238)	(20,643)	(68,278)	(42,880)

ATTACHMENT E

FY 2015/2016

Consolidated Year-to-Date Financial Report through August, 2015

Fund	FY 15/16 Begin Bal.	Revenue	Other Fin Sources/Tfrs	Total In	Capital Leases/ Transfer Out	Personnel	O&M	Capital	Contingency	Debt Service	Total Out	Left in Accounts Thru Aug 2015
General Fund - Unassigned	8,597,873	4,485,194	-	4,485,194	198,007	3,316,806	1,068,579	18,825	-	-	4,602,217	8,480,850
General Fund - Assigned	1,553,999										-	1,553,999
Highway Fund - Restricted	3,291,083	516,179	-	516,179	228,366	269,321	69,436	-	-	-	567,123	3,240,139
Seizure & Forfeiture - Justice/State	235,952	6,582	-	6,582	-	29,529	105	10,999	-	-	40,633	201,900
Bed Tax Fund - Committed	464,626	131,563	-	131,563	229,544	31,523	3,864	-	-	-	264,931	331,257
Impound Fee Fund	28,435	9,150	-	9,150	-	4,219	-	-	-	-	4,219	33,366
Community Center & Golf Fund	1,025,222	687,563	-	687,563	-	72,186	1,136,443	9,601	-	-	1,218,231	494,554
Municipal Debt Service Fund	166,798	35,063	655,750	690,813	-	-	1,800	-	-	711,153	712,953	144,658
Oracle Road Debt Service Fund	1,946	-	3,000	3,000	-	-	-	-	-	-	-	4,946
Alternative Water Resources Dev Impact Fee Fund	4,021,793	175,195	-	175,195	-	-	-	-	-	-	-	4,196,988
Potable Water System Dev Impact Fee Fund	4,800,153	88,598	-	88,598	-	-	-	-	-	-	-	4,888,751
Townwide Roadway Development Impact Fee Fund	2,677,852	51,834	-	51,834	-	-	-	-	-	-	-	2,729,686
Parks & Recreation Impact Fee Fund	136,103	23,012	-	23,012	-	-	-	-	-	-	-	159,115
Library Impact Fee Fund	94,798	-	-	-	-	-	-	-	-	-	-	94,798
Police Impact Fee Fund	254,577	6,574	-	6,574	-	-	-	-	-	-	-	261,151
General Government Impact Fee Fund	3,505	-	-	-	-	-	-	-	-	-	-	3,505
General Government CIP Fund	1,421,593	-	-	-	-	-	-	436,537	-	-	436,537	985,056
PAG/RTA Fund	-	418,962	-	418,962	-	1,054	-	417,908	-	-	418,962	-
Water Utility	10,557,965	2,023,989	-	2,023,989	3,030	421,547	948,458	762,123	-	-	2,135,158	10,446,797
Stormwater Utility	279,353	57,223	-	57,223	7,232	50,987	50,192	6,333	-	-	114,744	221,832
Fleet Fund	257,702	171,188	-	171,188	-	12,176	52,323	75,968	-	-	140,467	288,424
Benefit Self Insurance Fund	406,863	371,250	-	371,250	-	-	559,856	-	-	-	559,856	218,257
Recreation In-Lieu Fee Fund	6,190	21,728	-	21,728	-	-	-	-	-	-	-	27,918
Total	**40,284,381**	**9,280,847**	**658,750**	**9,939,597**	**666,179**	**4,209,348**	**3,891,056**	**1,738,295**	**-**	**711,153**	**11,216,031**	**39,007,948**

General Fund Local Sales Tax Collections

FY 2015/2016

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	193,497	160,759											**354,256**
Utility Sales Tax	257,552	312,494											**570,046**
Retail Sales Tax	441,557	415,209											**856,766**
All Other Local Sales Tax *	239,739	229,766											**469,505**
TOTAL	**$ 1,132,346**	**$ 1,118,228**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,250,573**

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

Town Council Regular Session **Item # E.**

Meeting Date: 11/18/2015
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Approval of conceptual public art for the Stone Canyon Golf Clubhouse, located near the northern terminus of Hohokam Village Place in Rancho Vistoso

RECOMMENDATION:

The Conceptual Design Review Board has recommended approval, subject to the conditions in Attachment 1.

EXECUTIVE SUMMARY:

The purpose of this request is for approval of conceptual public art for the Stone Canyon Golf Clubhouse. To meet the public art requirement, the applicant has hired David Wienert and Al Glann as artists to create and install five (5) freestanding sculptures (Attachment 2).

The proposed artworks are crafted from steel and consist of one (1) golf inspired sculpture and four (4) desert plant sculptures. The proposed sculptures will be installed directly in front of the building and within a breezeway, as depicted in Attachment 3.

The Conceptual Design Review Board has recommended conditional approval, based on the finding that the proposed artworks meet the Town's 1% public art requirement and are consistent with the Town's Design Principles and Design Standards.

BACKGROUND OR DETAILED INFORMATION:

The Stone Canyon Golf Clubhouse is a partially constructed development consisting of a 25,600 sq. ft. building. The project is nearing completion and the proposed art is necessary to meet the Town's 1% public art requirement. The proposed artworks conform to the Design Principles and Standards in the Zoning Code.

Approvals-to-Date

- 1999: Temporary golf clubhouse
- 2014: Conceptual Site Plan and Landscape Plan for the permanent golf clubhouse

Conceptual Public Art Summary

The applicant completed the Town's call for artist process, which generated over 25 public art applications from both local and national artists.

The final public art contract was awarded to Tucson-based artists, David Wienert and Al Glann, to create and install five (5) pieces of art (Attachment 2).

Below is information on the proposed artworks and art budget.

- Install one (1) freestanding sculpture in a landscaped island, located in front of the building
    - Name: Poetry in Motion
    - Dimensions: 14' x 7' (height and width)
    - Materials: Steel
    - Colors: Bronze patina
    - Total cost: $25,000
- Install four (4) metal plants along the sides of the breezeway
    - Names: Night Shadow, Desert Morning, Desert Dusk and Enduring Desert
    - Dimensions: Varying dimensions from 3' to 8' in height
    - Materials: Steel, copper, clay pots and landscape rocks
    - Colors: Varying colors to include blue, green, rust, gray, purple and copper patina
    - Total cost: $10,000
- Art Budget
    - Installation and administration fees: $6,000
    - Building permit valuation: $4,036,726
    - Required art budget: $40,367
    - Proposed art budget: $41,000

A detailed analysis regarding conformance of the proposed Conceptual Public Art design in relation to the Design Principles and applicable Design Standards is provided in the attached CDRB staff report (Attachment 4).

Conceptual Design Review Board Review

The Conceptual Public Art was considered by the CDRB at their October 13, 2015 meeting. The issues discussed at the meeting included the proposed maintenance, materials, lighting and art budget. The CDRB found the Conceptual Public Art to be in substantial conformance with the applicable Design Principles and Standards, and has recommended a conditional approval subject to the conditions in Attachment 1.

The first condition clarified that the cost of lighting the artworks, if provided by the developer, is not included within the art budget. The second condition required that the proposed artworks be treated with a protective sealing solution to ensure durability from the outdoor elements.

A copy of the draft CDRB minutes are included as Attachment 5.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the Conceptual Public Art for the Stone Canyon Golf Clubhouse, based on the finding that the proposed public artworks are consistent with the Design Principles and Design Standards, subject to the conditions in Attachment 1.

OR

I MOVE to deny the Conceptual Public Art for the Stone Canyon Golf Clubhouse, as it does not meet _____.

Attachments

Attachment 1 - Conditions of Approval
Attachment 2 - Application
Attachment 3 - Site Plan
Attachment 4 - CDRB Staff Report
Attachment 5 - CDRB Meeting Minutes

Stone Canyon Golf Clubhouse
Conditions of Approval
Attachment 1

1. The art budget shall not include the cost of lighting the proposed artworks.

2. The proposed artworks shall be treated with a protective sealing solution to ensure durability.

STONE CANYON GOLF COURSE CLUBHOUSE

Town of Oro Valley Conceptual Stage Public Art Submittal

Stone Canyon Clubhouse, 14200 Hohokam Village Place, Oro Valley, AZ 85755

PROJECT DESCRIPTION

The goal of the project is to develop a viable, permanent public art project for the Stone Canyon Golf Clubhouse including its final installation at either or both of two proposed locations on site. The public art project desires to include three-dimensional art to be located in both clubhouse's breezeway or part of the outside landscape near the front of Clubhouse site. The clubhouse will be a high end private facility for Stone Canyon members and their guests. It will be a Sonoran Hacienda style with a mud set tile roof and smooth stucco finishes. It will have high wooden beams spanning drywall ceilings, mostly hardwood interior floors with concrete and inset tile floors outside. The building side walls will be comprised of glass doors that open to outside dining and sitting areas with an emphasis of the views of the golf course, the Catalina Mountains, and the city lights of Tucson.

STONE CANYON BACKGROUND

Situated at the base of the picturesque Tortolita Mountains, Stone Canyon provides the most spectacular desert setting anywhere. With views of the majestic Santa Catalina Mountains everywhere you turn, golfers will be amazed by the breathtaking beauty. From the rock formations to the thousands of giant saguaros overlooking the lush, green fairways, tees and putting surfaces.

The golf course itself encompasses 18 uniquely designed golf holes, with teeing options ranging from 5,100 yards to over 7,300 yards. Each hole has a minimum of 5 tee pads making the course enjoyable for the beginner golfer, yet challenging for the accomplished player. The course provides ample landing zones off the tee along with multiple risk reward options throughout the layout. Undulating, bent grass greens and strategically placed bunkers, provide a fun challenge for all those who play. If 18 holes isn't enough, Stone Canyon's 19th hole, a 107 yard par 3, is perfect for settling your bets or practicing your short game! It's easy to see why Stone Canyon is consistently ranked among the best courses in the country.

ARTIST SELECTION: PROCESS

In selecting the artist/piece of art, we placed emphasis on originality, the ability to withstand the Arizona climate as well as complement both the project and the natural landscape of the surrounding region. The organization partnered with the Southern Arizona Arts and Cultural Alliance to submit a National Call to Artist RFP, which garner over 25 proposals from artists around the world, and here locally in Arizona. Our request was for a vertical, 3-deminsional arts that could be comprise of the following materials: Steel, Bronze, Natural Materials, Metal, Wood, Ceramic, Stone, Concrete and Cast Stone, and Glass. It was decided that there was enough in the budget to accommodate two artists each with their own location and unique work.

Al Glann (Sculpture #1) and David Wienert (Sculpture #2)

ARCHITECTURAL CHARACTER DESCRIPTION

Sculpture #1 will be located in the front entrance way within the outside landscape. The location of the selected 4 smaller sculptural cacti pieces would be located in the open ended breezeway within the Clubhouse. Breezeway has natural lighting and is completely covered by a permanent roof. It connects the entrance to the rear exit that overlooks the 18th green.

The project should be an original, site specific design fabricated in safe, durable, low maintenance materials that may withstand the harsh Arizona climate in the summer months. Requests were made for the public art to be complimentary to the overall natural landscape of the surrounding region or the architecture of the interior breezeway. A combination of both locations can be utilized and two artists were chosen.

PUBLIC ART COMPLIANCE STATEMENT / SAFETY

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

The proposed artworks shall not hinder public safety. The sculptures will be anchored to a concrete foundation base to insure stability and safety. All elements of this project will be child friendly from the sculpture to the benches. All corners will be smooth and rounded in order to ensure safety to the public.

The main sculpture is inspired by the motion of golf. Its purpose is to enhance and brighten the appearance of the building while adding a welcoming feeling to the property.

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

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

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

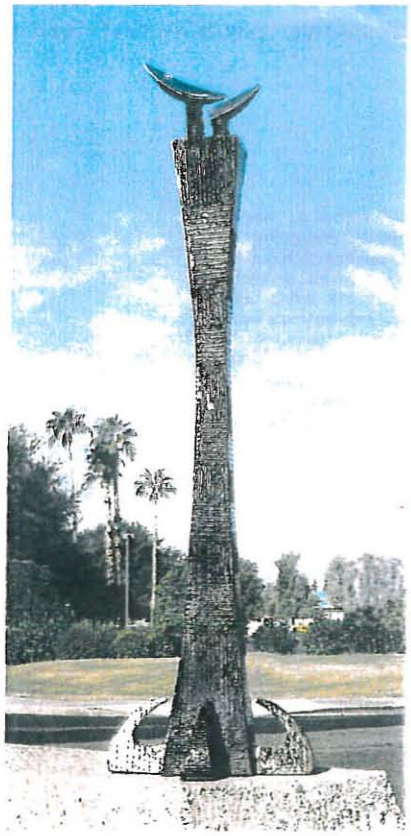
The sculpture #1 will be located inside of a curbed and separated landscape island, while the second sculpture elements (sculpture #2—4 total sculptures) will be protected under the main breezeway walk ways. This will prevent any potential obstruction from matured plants. It is located in front of the building buffered by sidewalks and the parking area and therefore is protected from any potential obstructions from future construction.

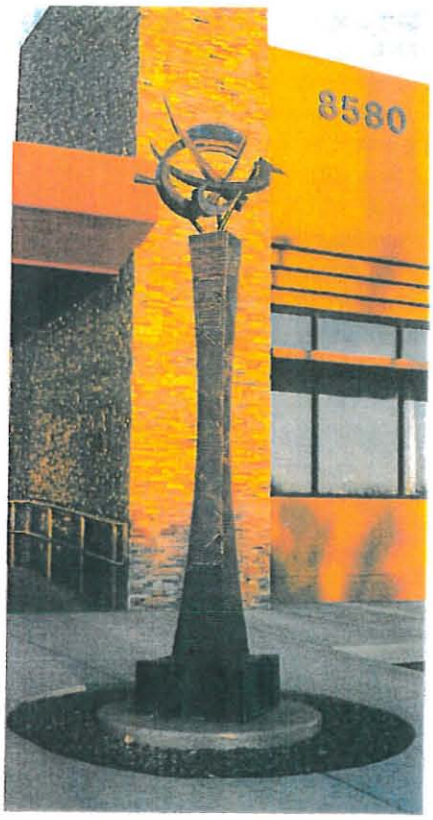
ART SCULPTURE #1

AL GLANN—ARTIST

AL GLANN—METAL ARTIST

Al Glann has been creating sculpture in a variety of media including steel and bronze for over twenty-five years. Glann's sculpture has been exhibited in Ohio, Arkansas, Colorado, Texas, California, and Arizona. His work is in private collections in Florida, New York, Michigan, Ohio, Minnesota, California, Arizona, Colorado, Washington, Texas, Great Britain, Canada, and Chiggio (Venice) Italy. Glann's public art works include the "Morning Light" Oro Valley, Arizona, "Evening Light" Oro Valley, "People Helping People" at the Tucson International Airport Tucson, Arizona, "Soul Survivor" in downtown Mesa, Arizona, "Ask Me" at the Columbus Metropolitan Library Hilltop Branch, Columbus, Ohio, and "Rimstalker" at the Columbus Metropolitan Library Hillard Branch, Columbus, Ohio. Al Glann was an Associate Professor of art and design at The Art Institute of Phoenix, Phoenix, Arizona from 1996 – 2010 and a Associate Professor at the Columbus College of Art & Design, Columbus, Ohio from 1981 - 1996.





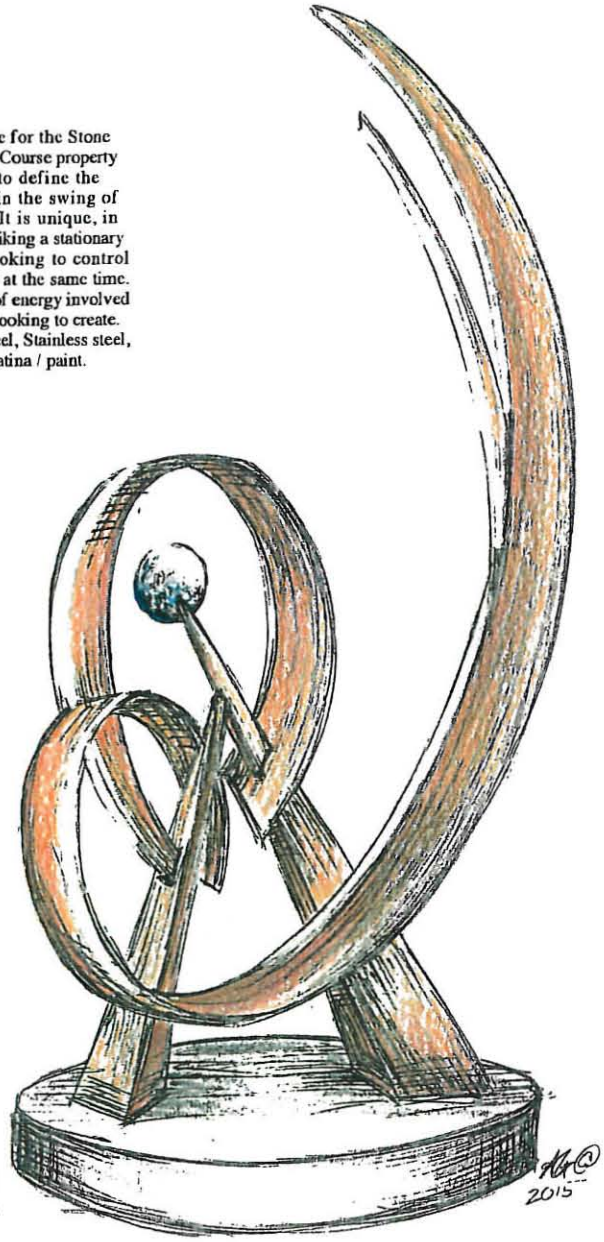
ARTIST NARRATIVE: AL GLANN

In developing the concept for the Stone Canyon Golf Clubhouse I was working with the energy within the swing of a golf club. It is unique, in that one is striking a stationary object and looking to control it at the same time. I am fascinated with the energy and actual physics of the swing, the designs of specific golf clubs and the design of the golf ball and how all of those elements come into play with each individual. The essence of the energy involved is what I am looking to create with my sculpture. The contemporary sculpture is designed to appeal to all members of the community not just the golfing community.

Sculpture Description

The 14' steel free standing sculpture will be anchored to a concrete base. The sculpture will use both standard steel and stainless steel along with a color treatment. I will working be with a structural engineer who has worked on a number of free standing public art sculptures to assure that it will be permanent sculpture that meets Oro Valley construction code. The steel is a very durable material and in addition to the color it have UV protective epoxy clear coat protecting the surface for the long term There will be no sharp edges or surfaces on the sculpture that could potentially cause harm. The location of the sculpture at the Stone Canyon Golf Club will not be in a position were people would or could accidentally run into it. The sculpture will be anchored to a concrete base with security bolts to insure stability and safety. The maintenance of the sculpture will be minimal because of the durable finish and overall height of the piece.

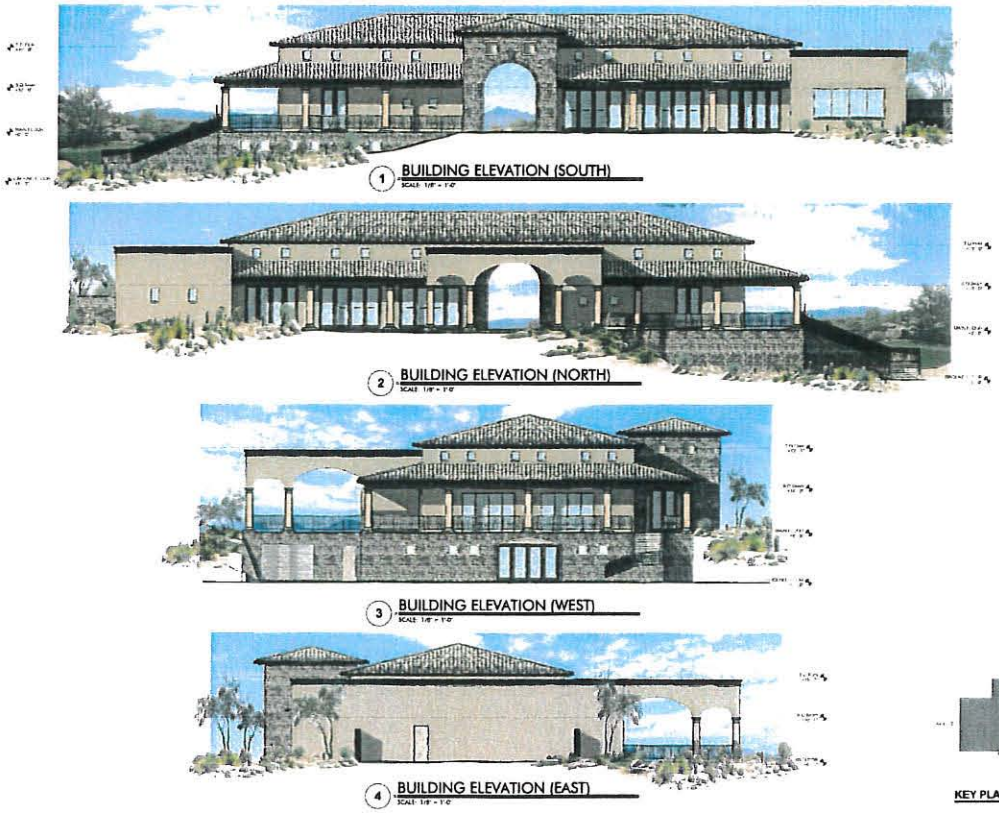
The sculpture for the Stone Canyon Golf Course property is designed to define the energy within the swing of a golf club. It is unique, in that one is striking a stationary object and looking to control it's trajectory at the same time. The essence of energy involved is what I am looking to create. Materials: Steel, Stainless steel, and surface patina / paint. Scale: - 14'



Al Glann • Sculptor
3230 N. Dodge Blvd.,Ste.D
Tucson, AZ 85716
480-560-3243
Website: http://alglannsculptor.com
email: aglann@comcast.net

LOCATION OF ARTWORK—SCULPTURE BY AL GLANN

The artwork was originally to be located in the middle circle of the roundabout leading to the clubhouse, but a decision was made by the developer to highlight the piece and provide an area directly outside of the front entrance to the clubhouse.



STONE CANYON CLUB HOUSE
Hohokam Village Place
Oro Valley, AZ 85755

BUILDING ELEVATIONS

As indicated

A6.1

BUDGET

Stone Canyon Golf Clubhouse Sculpture: Al Glann

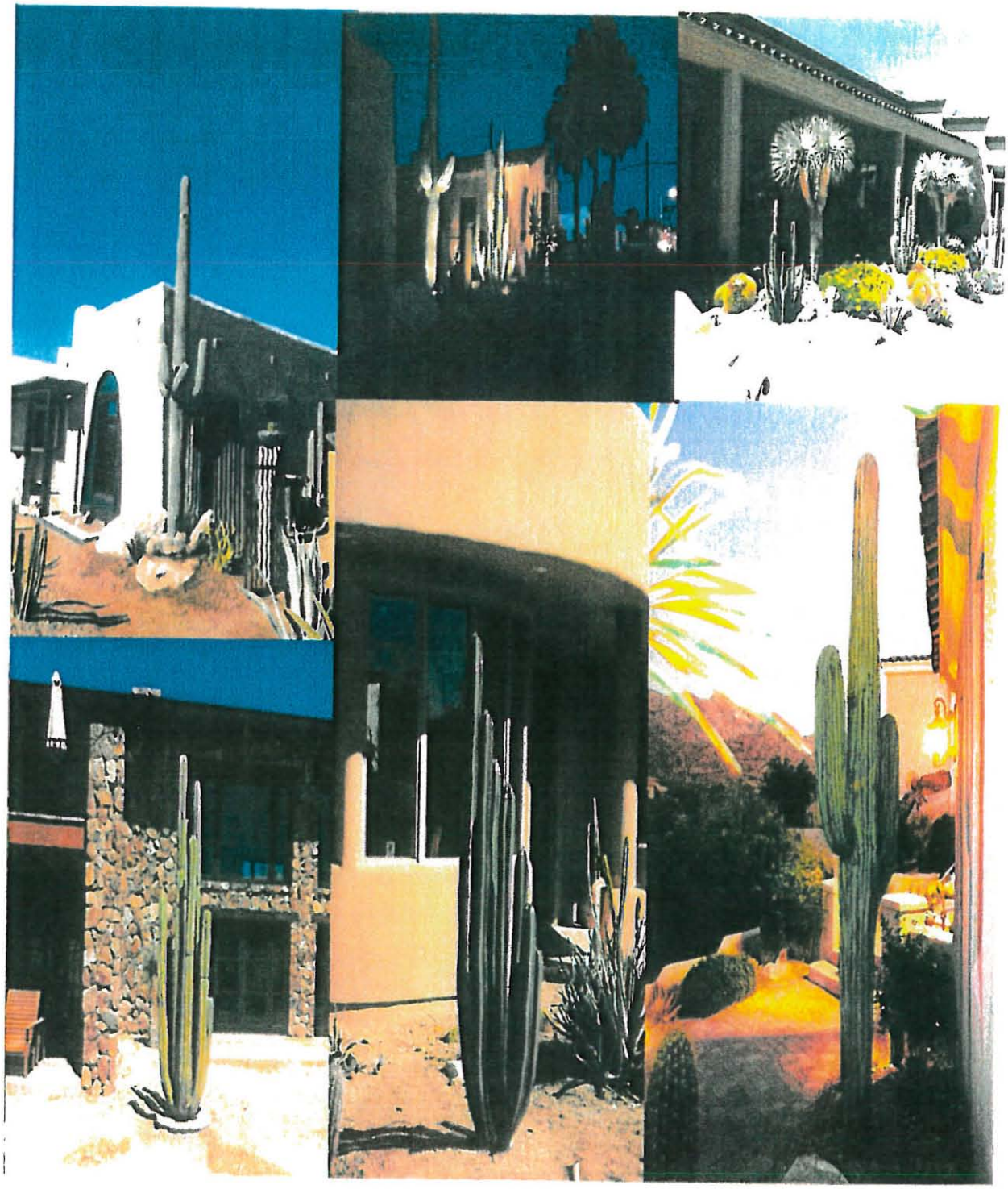
Design fee – Layout and design of sculpture, create a variety of color choices, final revision on chosen design.	$2,000.
Structural engineer consult -	800.
Base; foundation, form, reinforcement, concrete pad for sculpture -	900.
Materials: Steel; 2- 10' x 4' 10 gauge cold rolled steel, 1 - 4'x 8' 3/16 steel cold rolled steel, 1- 4' x 8' 12 gauge stainless steel. Welding materials; 2-3 .030 welding wire for mig welder, 2 tanks of Argon mix for mig welder, stainless steel welding wire, medium tank for stainless gas mix for mig welder. 12 rough grinding wheels, 20 finish grinding wheels, 4 pair of welding gloves, replacement lenses for welding helmet glass, rental fees for glass fusing, (optional). Finish materials; degreasers, chemical patinas, Permalac clear coat, solvents for thinning and cleaning clear coats, etc., and stainless steel.	4, 000.
Fabrication; Design framework for sheet steel, Design and layout pattern on sheet Steel, have steel plasma cut to desired forms, have steel rolled and bent to specific shapes and forms per the design, reinforce steel where needed for support, assemble steel forms, use of overhead crane to move steel while under construction, and weld steel, clean up welds, add additional welds for specific textures if used, create guides for specific textures, create guides and forms for assembling steel, have specific steel shapes formed for specific elements in the design, finish work on steel, rough grinding, finish grinding, clean up all surfaces, remove any foreign oils etc. from steel prior to starting patinas. Hire contracted steel worker to assist in fabrication, not a one-person job.	10, 460.
Finish - mixing and setting up patinas, applying several layers of patinas, heating the metal to 200º for proper adhesion of patinas, removing chemical properties after patinas have set, apply several layers of clear coat.	2,140.
Lighting- depending on specific style of lighting to be installed (Landscape spots or flexible neon lighting to edge dynamic shapes.)	800
Transportation - Includes crane service for picking up and installing sculpture on site, delivery charges for materials, traveling around Tucson and Phoenix picking specific materials and supplies for fabrication and installation	500.
Installation, site prep – protecting other areas during install.	300.
Maintenance package, seal all surfaced for maintenance -	500.
Insurance -	600.
Self-Employment tax -	700.
Federal Income tax -	600.
Arizona Income tax -	350.
Plaque -	350.
Total:	$25,000.

ART SCULPTURE #2

DAVID WIENERT—ARTIST

DAVID WIENERT—PUBLIC ARTIST

Tucson based sculpture artist David Wienert has captured the essence of the Southwest desert for over 13 years and brought it to life through concrete and steel. His work focuses on the sculptural beauty of the Sonoran Desert by utilizing the distinct plant forms that symbolize the Arizona desert. Saguaro, Organ Pipe, Fence Post and others create the perfect medium for a spectacular sculpture. Working on all scales, Dave has created pieces from 1' to over 18' high and sculpted over 2000 original designs. Each piece is colored to create a stone like finish that shows the textures and shadows of real cactus. Working with cactus form has allowed Dave to apply his art to many different projects from sculpture, furniture and architectural details. Dave's work can be seen in several public art installations in Arizona that include the Desert Museum, Tohonol Chul, Boyce Thompson Arboretum and the Scottsdale Community College. All have been performing in the public domain for many years.



ARTIST NARRATIVE: DAVID WIENERT

The main gallery breeze way will be the focal point of the artwork pieces. The work is inspired by the shapes and colors of the surrounding desert landscape. The breeze way will include four free standing sculptures at the entrance, in the center and near the rear seating area. Sculptures are designed to be moved in necessities dictate. The main entrance of the breeze way to the rear seating area will be represented by Agave and Organ Pipe cactuses. The sculptures are free standing with in large rust tone pots.

BUDGET

4 Handmade, Original potted Stone Cactus Sculptures as shown.....$9190.00

Includes: Sculptures, pots, rock media,

delivery and set-up to Stone Canyon

.081	Tax	$ 810.00
Total	$10,000.00	

1- Aloe Tree

Aged green/copper/rust patinas
3 leaf clusters x 5'6" high (6' potted)
Black clay pot 39" w x 18" h
Polished rock media

2- Saguaro Spears, Cereus, Agave Sculpture

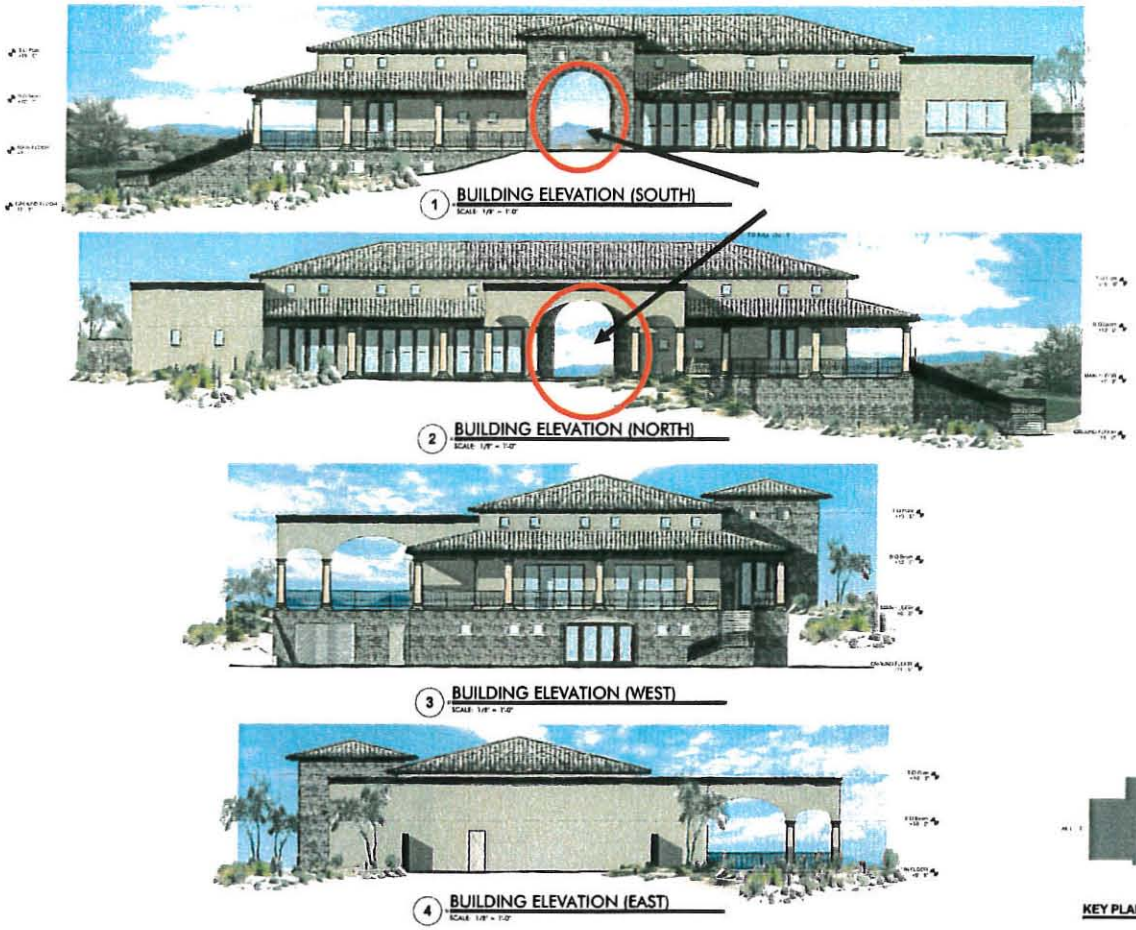
Aged green/rust/gray/copper patinas
5' & 3' Saguaro spear/4 arm Cereus x 4
7 leaf Octopus Agave
Wok bowl 14" h x 42" w
Polished rock media

3-Saguaro spear
Agave
Sonita

5'6" h Saguaro/6 arm Sonita
Americana Agave w/stem
Wok bowl 14" h x 42" w
Polished rock media

4- Organ Pipe

Aged copper patinas
greens/purples and rust
8 arms x 8' high w/pot
Black clay pot 39w x 18" h



PHXRCH

STONE CANYON CLUB HOUSE
Hohokam Village Place
Oro Valley, AZ 85755

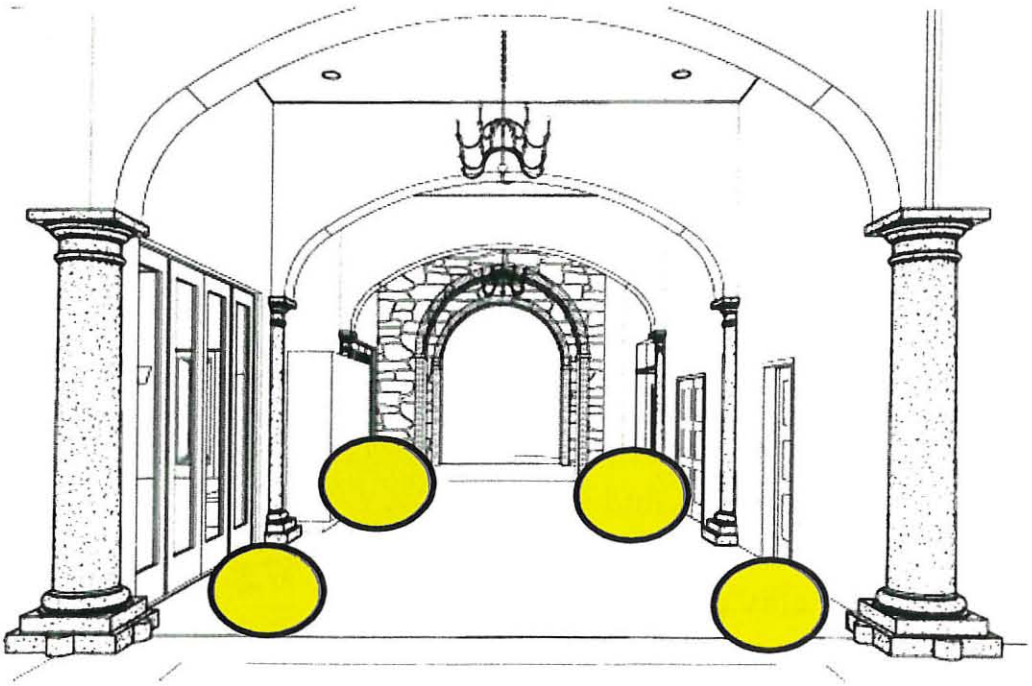
MONTH DAY YEAR

BUILDING ELEVATIONS

As indicated

A6.1

Locations of potted artwork in breezeway



STONE CANYON CONSTRUCTION BUDGET

Attachment 2

WESPAC CONSTRUCTION INC.

9440 North 26th Street, #100
Phoenix, AZ 85028
Phone (602) 956-1323 Fax (602) 922-8111
www.wespacconstruction.com

Estimate#: GMP - with updates current as of 1/19/15
Project: Stone Canyon Clubhouse
Location: Oro Valley

12/5/14

ESTIMATE SUMMARY SHEET		DESCRIPTION	Explanation	Abstract Bids
2100	1	SITE AMENITIES	not building cost	$0
2200	2	GRADING AND PAVING	not building cost	$0
2300	3	TERMITE CONTROL		$1,554
2400	4	SITE UTILITIES	not building cost	$0
2900	6	LANDSCAPE & IRRIGATION	not building cost	$0
3000	7	PRECAST CONCRETE		$373,500
3300	8	CONCRETE		$204,484
4000	9	MASONRY		$287,048
5000	10	STRUCTURAL & MISC. STEEL		$80,250
6100	11	ROUGH CARPENTRY		$208,442
6200	12	FINISH CARPENTRY		$3,690
6400	13	MILLWORK		$231,600
7410	14	INSULATION		$13,031
7500	15	ROOFING		$130,579
7600	16	SHEET METAL		$9,504
7900	18	ROOF ACCESSORIES		$2,150
8110	19	CAULKING & WATERPROOFING		$66,764
8200	20	DOOR/FRAME/HARDWARE - HM & WOOD		$303,867
8700	21	SPECIALTY DOORS		$3,500
8800	22	GLASS & GLAZING		$8,920
9100	23	LATH / PLASTER / EIFS		$55,125
9250	24	METAL STUDS & DRYWALL		$77,970
9300	25	CERAMIC TILE		$71,806
9500	26	ACOUSTICAL TREATMENT		$10,800
9600	27	FLOOR COVERING		$64,920
9900	28	PAINTING		$52,231
10000	29	SPECIALTIES		$47,539
10800	30	TOILET ACCESSORIES		$5,121
11000	31	EQUIPMENT		$201,511
13000	33	SPECIAL CONSTRUCTION	not required	Excluded
14000	34	ELEVATORS		$51,345
15400	35	PLUMBING		$183,153
15500	36	FIRE PROTECTION		$56,872
15800	37	HVAC		$234,250
16000	38	ELECTRICAL		$303,742
17000	39	SPECIAL SYSTEMS	not required	$0
18000	40	SUSTAINABILITY	not required (not LEED)	$0
19000	41	TESTING & SPECIAL INSPECTION		$5,434
20000	42	LAYOUT & FINAL CLEAN UP		$11,250
21000	43	ARCHITECTURAL & ENGINEERING FEES	not building cost	$0
21000	44	PERMIT/ PLAN CHECK & DEVELOPMENT FI	by owner	$0
		Project Duration	44 Weeks	
			10.2 Months	
		Subtotal		3,361,952
		General Conditions		280,224
		Oro Valley Sales Tax	6.57%	248,863
		Overhead & Profit On Total Cost of Project	4.00%	145,687
		GMP TOTAL		4,036,726

1% Oro Valley Public Art Valuation

Construction Budget $4,036,726 1%=$40,367 Total Public Art Budget

Breakdown

$25,000	Sculpture #1—Al Glann
$10,000	David Wienert—Sculpture # 2
$2,018	SAACA Administration Fee
$4,000	Installation of Sculptures, Lighting, Base, Footing, Engineering Docs, Protection

_____ $41,018 total spent on Public Art

STONE CANYON CLUBHOUSE

ESTIMATED ARTWORK / CONSTRUCTION IMPLEMENTATION TIMELINE

Conceptual Artwork Submittal July 16, 2015
Final Artwork Submittal September 1, 2015
Artwork Manufactured October 15, 2015-November 15, 2015
Artwork Installation November 15, 2015 -December 1, 2015
Construction Completion date December 14, 2015
File for Certificate of Occupancy December 13, 2015
First day of Operation December 15, 2015

David C. Wienert

Thank you for giving me the opportunity to further explain my artwork for the Stone Canyon Clubhouse project. The four pieces I have proposed are all original sculptures that were designed for the clubhouse exclusively. They represent the lines, shadows and colors of the Sonoran desert and work together as a cohesive art walk in 4 different locations within the breezeway.

These original pieces have never been pictured or offered for sale on my web site and will not be offered for sale except to the original owners. Each piece will be arranged, detailed and colored differently than any of my existing work shown on the web site or anything I have created in the past.

Just a note, none of the work pictured on the web site is "off the shelf", each piece pictured is handmade to order and would normally take several weeks to produce. Although they can appear similar. no two sculptures are the same.

The conceptual pictures provided are to show presentation and scale only and do not present the details and color pallet of the Stone Canyon final pieces. I have further defined the 4 pieces of this art installation for your review below.

Stone Canyon 1 Night Shadow- This unique piece (Aloe Tree) will present several aloe clusters with copper bloom stems, finished in a rusted steel with green under tones to represent night. Each leaf shows a slightly different twist and curl with steel edging to show thorn details. The whimsical and striking look of this piece shows the diversity of desert plant life as part of this series as seen on a moon lit night.

Stone Canyon 2- Desert Morning- This is the first time I have combined several plants into one sculpture to show a combination of textures, color and form. This part of the series shows a pair of young Saguaro's nestled among agave and other cactus. Each plant will have a distinct color hue from blues to green with rust highlites. The desert in the morning casts a cooler color tone and shows a rich diverse combination of desert textures and form.

Stone Canyon 3- Desert Dusk-My second combination of plants surround a young Saguaro with a stemming Agave and columer cactus combined to further complement the series as a whole. The color pallet will range from rusted metal to green, blues and purple to refect dusk in the desert.

Stone Canyon 4- Enduring Desert- This Organ Pipe sculpture will have many more hours of distinct details and color treatments unlike anything I have created before. Each arm will show segmented and distressed details to capture the hard desert life for these of these plant family's. The piece will show arms in all phases of life from mature to vibrant youth. The colors will transition from the base to the tips from dark greens to purples and gray over a speckled granite finish to represent the timeless presence of these majestic plants.

I feel my experience and knowledge with my medium will guide me to create this original public art installation that will compliment and add to the Oro Valley Public art community, thank you
Dave Wienert

STONE CANYON CLUBHOUSE - PUBLIC ART EXHIBIT

AUGUST 2015

Proj. 1458

North

Scale: N.T.S.

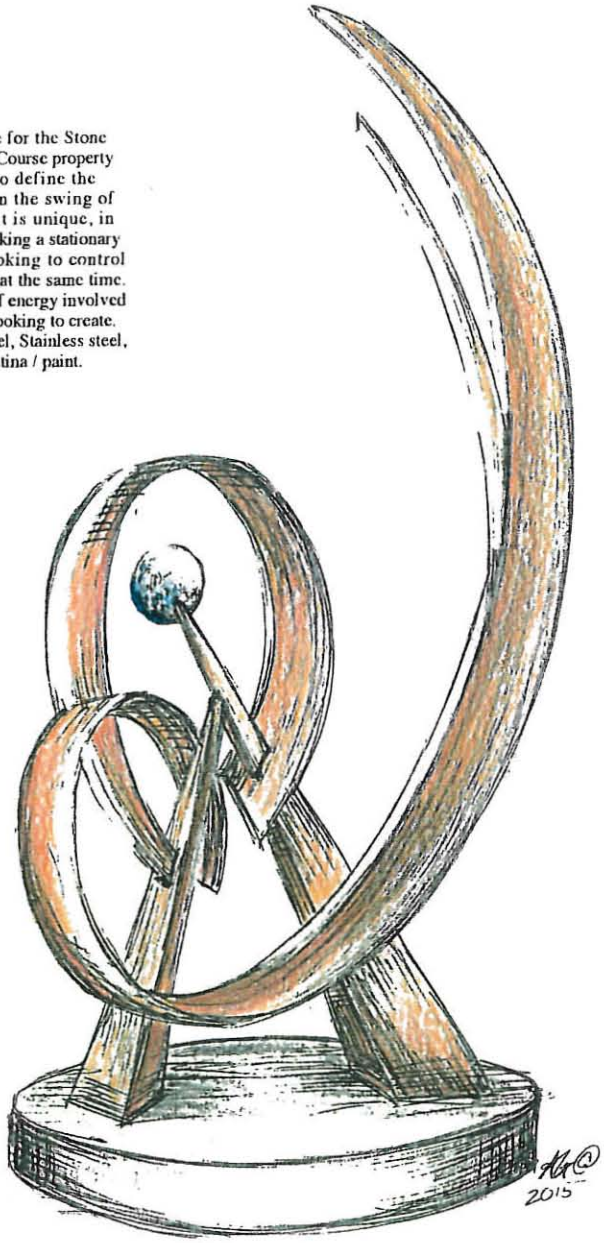
HILGARTWILSON
ENGINEER | PLAN | SURVEY | MANAGE

Attachment 2

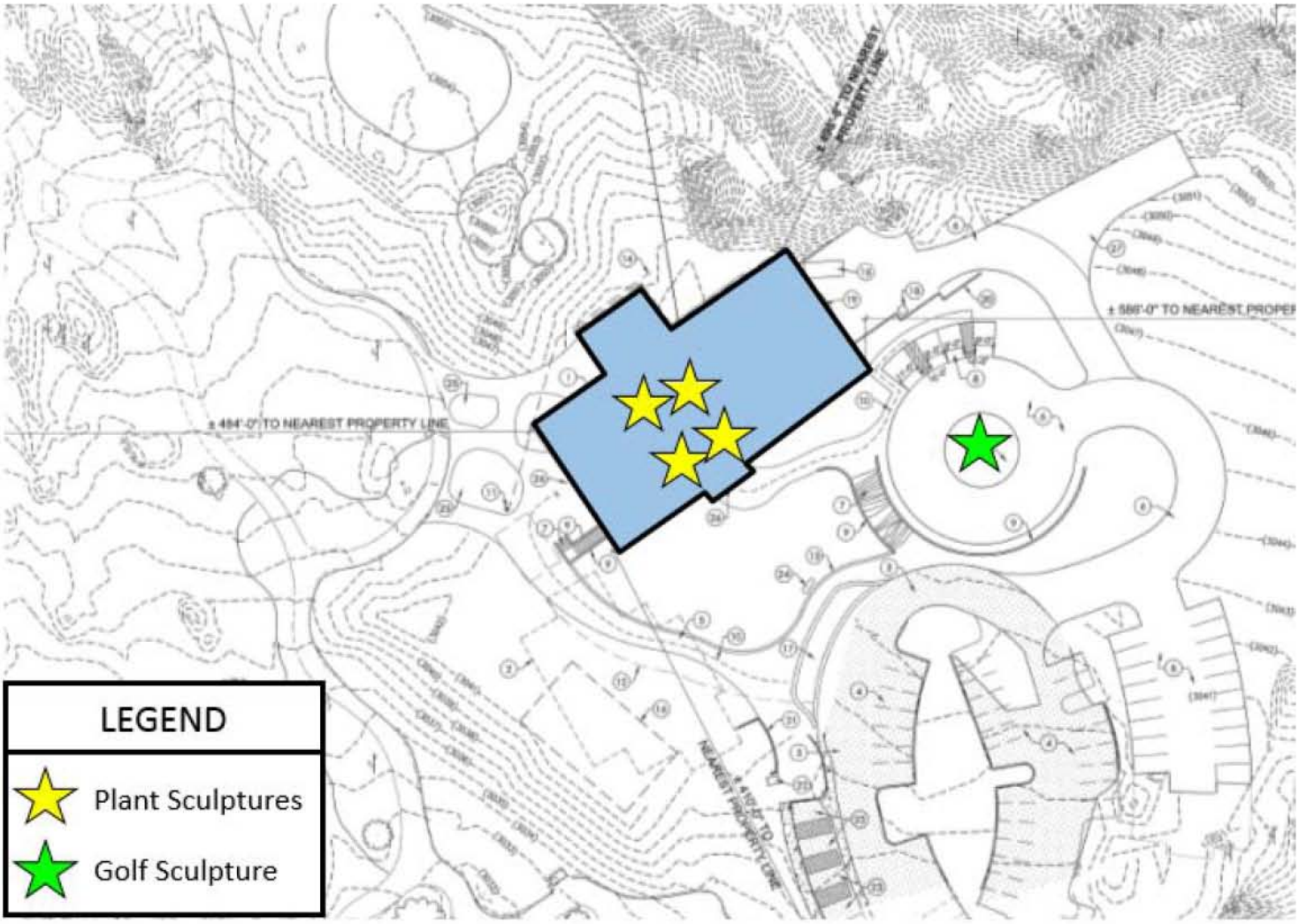
Al Glann
Artist

The title of my sculpture is "Poetry in Motion"
Size: approx. 14' tall, 7' wide, 4.5' deep
Steel with bronze patina with clear coat with stainless ball.

The sculpture for the Stone Canyon Golf Course property is designed to define the energy within the swing of a golf club. It is unique, in that one is striking a stationary object and looking to control it's trajectory at the same time. The essence of energy involved is what I am looking to create. Materials: Steel, Stainless steel, and surface patina / paint. Scale: - 14'



Al Glann • Sculptor
3230 N. Dodge Blvd.,Ste.D
Tucson, AZ 85716
480-560-3243
Website: http://alglannsculptor.com
email: aglann@comcast.net



SITE PLAN

STONE CANYON GOLF CLUBHOUSE (OV1500933)

Attachment 3

Conceptual Public Art
Conceptual Design Review Board Staff Report

CASE NUMBER:	OV1500933
MEETING DATE:	October 13, 2015
AGENDA ITEM:	2
STAFF CONTACT:	Rosevelt Arellano, Senior Planner rarellano@orovalleyaz.gov (520) 229-4817

Applicant:	Roger Nelson, Stone Canyon Buffalo Golf, LLC
Request:	**Conceptual Public Art for Stone Canyon Golf Clubhouse**
Location:	14320 N. Hohokam Village Place, in Stone Canyon
Recommendation:	Approve requested public artwork with conditions

SUMMARY:

The applicant proposes five (5) freestanding sculptures for the Stone Canyon Clubhouse, which is currently under construction (see Attachment 1). The proposed sculptures will be installed directly in front of the building and within a breezeway. A site plan showing the proposed art locations is included as Attachment 2.

The proposed artworks are created from steel, and consist of one (1) golf sculpture and four (4) plant sculptures. The proposed golf sculpture is entitled "Poetry in Motion." The proposed plant sculptures are entitled "Night Shadow," "Desert Morning," "Desert Dusk" and "Enduring Desert." The applicant's description of the proposed artworks is provided as Attachment 3.

BACKGROUND / DETAILED INFORMATION:

Previous Approvals:

- 1999: Temporary golf clubhouse constructed
- 2014: Conceptual Site Plan and Landscape Plan for the permanent golf clubhouse

Request Details:

- Install one (1) freestanding sculpture in parking island, located in front of the building
  - Name: "Poetry in Motion"
  - Dimensions: 14' x 7' (height and width)
  - Materials: Steel
  - Colors: Bronze patina
  - Total cost: $25,000
- Install four (4) metal plants along the sides of the breezeway

  - Names: Night Shadow, Desert Morning, Desert Dusk and Enduring Desert
  - Dimensions: Varying dimensions from 3' to 8' in height
  - Materials: Steel, copper, clay pots and landscape rocks
  - Colors: Varying colors to include blue, green, rust, gray, purple and copper patina
  - Total cost: $10,000
- Installation and administration fees: $6,000
- Building permit valuation: $4,036,726
- Required art budget: $40,367
- Proposed art budget: $41,000

DISCUSSION / ANALYSIS:

The Stone Canyon Golf Clubhouse is a partially constructed development consisting of a 25,600 sq. ft. building. The project is nearing completion and the proposed art is necessary to meet the Town's 1% Public Art requirement. This application completed the Town's call for artist process, and received over twenty-five (25) public art applications from both local and national artists. The final public art contract was awarded to Tucson based artists, Al Glann and David Weinert.

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

Design Principle Analysis

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

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

Staff Commentary: The proposed artworks are created from steel and provide artistic expressions for the game of golf and the desert environment. The proposed golf sculpture contains curved metal forms which reflect the physics of a golf swing. At a glance, the proposed plants sculptures may appear to be real because they incorporate colors and textures which are consistent with the existing desert flora.

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

Staff Commentary: The applicant indicates that the proposed artworks are inspired by the desert flora and the motion of a golf swing. The 14' height of the golf sculpture is appropriate in scale with the single-story golf clubhouse and is consistent with the golf course use. The plant sculptures are three (3') to eight (8') feet in height and are designed to reflect the desert flora in the area.

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

Staff Commentary: The application states that the proposed artworks are original pieces designed to withstand the desert environment. The proposed plant sculptures are located under a breezeway and will be protected from the harsh desert environment. The proposed golf sculpture will be exposed to rain and sun because it is located in a parking island.
The location and construction of the proposed artworks reduce the chance of being vandalized and stolen for the following reasons:

- The proposed artworks are located near the main building entrance where surveillance is generally higher than other parts of the site.
- The proposed artworks are securely mounted to a concrete foundation.

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

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

Staff Commentary: The proposed golf sculpture will be integrated into the front building entrance. The golf sculpture is fourteen (14') tall and is located in a parking island. Due to its height and location, the proposed artwork will create a focal point and sense of arrival for employees and guests.

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

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

- The proposed artworks will have smooth and rounded edges.
- The proposed golf sculpture will be installed in an area of the parking island which does not affect driver visibility (i.e. not within a sight visibility triangle).
- The proposed plant sculptures are located along the sides of the breezeway and will not obstruct pedestrian traffic.

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

Staff Commentary: The proposed golf sculpture is designed with linear curves that are similar to a golf swing. The proposed plant sculptures resemble the desert flora and warm weather climate. Due to their unique materials, colors and designs, the proposed artworks will add to the diversity and style of public art and do not duplicate other artworks found in the Town.

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

Staff Commentary: The proposed art will be visible to the public because they are located outside and near the front building entrance. Due to their height and/or location, visibility of the proposed sculptures will not be obscured by the surrounding landscaping which consists of small shrubs, accents and ground cover plants.

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

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

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

Staff Commentary: The proposed artworks do not contain elements of corporate advertising.

Design Standards Analysis

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

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

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

SUMMARY / CONCLUSION

The applicant's request includes the installation of five (5) metal sculptures. In staff's opinion, the proposed artworks are well suited for the site based on its relation to the project design and natural context. The proposed art meets the public art Design Principles and the 1% construction cost based on the building permit valuation.

RECOMMENDATION:

Based on the following findings:

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

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

Recommend approval to the Town Council of the requested Conceptual Public Art under case OV1500933, subject to the condition in Attachment 4.

SUGGESTED MOTIONS:

I move to recommend approval of the Conceptual Public Art for the Stone Canyon Golf Clubhouse, based on the finding that the proposed public artworks are consistent with the Design Principles and Design Standards, subject to the conditions in Attachment 4.

OR

I move to recommend denial of the Conceptual Public Art for the Stone Canyon Golf Clubhouse, as it does not meet _____.

ATTACHMENTS:

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

Bayer Vella, Planning Manager

DRAFT MINUTES
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD
REGULAR SESSION
OCTOBER 13, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chair Eggerding called the Conceptual Design Review Board meeting to order at 6:00 pm.

ROLL CALL

PRESENT: Richard Eggerding, Chairman
Bruce Wyckoff, Vice Chair
Jacob Herrington, Member
Harold Linton, Member

ABSENT: Sarah Chen, Member
Kit Donley, Member
Nathan Basken, Member

ALSO PRESENT: Joe Andrews, Chief Civil Deputy Attorney
Lou Waters, Vice Mayor
Joe Hornat, Council Member

PLEDGE OF ALLEGIANCE

Chair Eggerding led the Board and members of the audience in the Pledge of Allegiance.

CALL TO AUDIENCE

COUNCIL LIAISON COMMENTS

Vice Mayor Lou Waters stated there were no updates at this time.

DRAFT

1. REVIEW AND/OR APPROVAL OF THE SEPTEMBER 8, 2015 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to approve

MOTION carried, 4-0.

2. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL PUBLIC ART FOR THE STONE CANYON GOLF CLUBHOUSE LOCATED AT 14320 N. HOHOKAM VILLAGE PLACE, OV1500933

Rosevelt Arellano, Senior Planner, presented a staff report which included the following information:

Proposal: 5 Freestanding Sculptures
Map
Site Map
Public Art Request - "Poetry in Motion"
Public Art Request - 4 Plants
Art Location
Review Tools
Summary/Recommendation
Conditions of Approval

Roger Nelson and Dave Wynart, applicant and artist, were present to answer a variety of questions regarding lighting and materials used on the project.

MOTION: A motion was made by Jacob Herrington, Member and seconded by Bruce Wyckoff, Vice Chair to approve

Member Linton proposed a Friendly Amendment, requiring the applicant to include sight lighting at their cost, should it be decided to include site lighting at the main art work location. The Friendly Amendment was approved.

MOTION carried, 4-0.

DRAFT

3. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL SITE PLAN INCLUDING ALTERNATIVE PARKING RATIO, CONCEPTUAL ARCHITECTURE AND LANDSCAPE PLAN, FOR A FRY'S FUEL CENTER, LOCATED AT THE SOUTHWEST CONRNER OF ORACLE ROAD AND NORTH FIRST AVENUE, OV1215-12

Michael Spaeth, Senior Planner, presented a staff report which included the following information:

Applicant's Request
Conceptual Site Plan
Traffic Map
Shopping Center vs. Fuel Only Traffic
Alternative Parking Ratio
Site Changes
Conceptual Landscape Plan
Conceptual Architecture
Rooney Ranch Architecture
Oracle Road Scenic Corridor Overlay District
Summary and Recommendation
Conditions of Approval - Site Plan
Conditions of Approval - Architecture
Traffic Volumes
Internal Elevations
Conceptual Architecture - 1st
Staff addressed several questions concerning the applicant's request

Ryn Gaston, Site Acquisition Representative, answered questions posed by the Board regarding the size of the fuel delivery truck, and the possibility of blocking handicapped parking spaces and traffic flow.

Ali Faki, Civil Engineer, stated the number of trucks making fuel deliveries depended on the number of gallons sold. Mr. Faki also answered a variety of other questions at the request of Board members.

MOTION: A motion was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to approve:

DRAFT

A. REQUEST FOR A CONCPETUAL SITE PLAN AND LANDSCAPE PLAN FOR A FRY'S FUEL CENTER LOCATED IN THE ROONEY RANCH SHOPPING CENTER, OV1215-12.

MOTION carried, 3-1 with Harold Linton, Member, opposed.

MOTION: A motion was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to approve:

B. REQUEST FOR CONCEPTUAL ARCHITECTURE FOR A FRY'S FUEL CENTER LOCATED IN THE ROONEY RANCH SHOPPING CENTER, OV1215-12.

MOTION carried, 3-1 with Harold Linton, Member, opposed.

MOTION: A motion was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to approve:

C. REQUEST FOR AN ALTERNATIVE PARKING RATIO FOR FRY'S GROCERY STORE LOCATED IN THE ROONEY RANCH SHOPPING CENTER, OV1215-12.

MOTION carried, 3-1 with Harold Linton, Member, opposed.

4. YOUR VOICE OUR FUTURE LIASON UPDATE Chair Eggerding announced the Board members may review the document which was provided by the Your Voice, Our Future Planner, Nora Campbell, at their convenience.

PLANNING UPDATE (INFORMATIONAL ONLY)

Chad Daines, Principal Planner, provided the following updates to Members of the Board:

Upcoming Town Council and Conceptual Design Review Board Meetings

November 10th, The Conceptual Design Review Board will hear a case

regarding the Stone Canyon Casitas Conceptual Site Plan and Conceptual Architecture

October 21st, Town Council will receive an update regarding the Your Voice, OUr Future Informational Items

November 5th, Town Council will hear Your Voice, Our Future Major General Plan Amendment, Nakoma Sky Revised Rezoning Conditions, Frys Conceptual Site Plan, Conditional Use Permit and Planned Area Development, Community Academy Graduation

There are no upcoming neighborhood meeting at this time

ADJOURNMENT

DRAFT

Town Council Regular Session **Item # F.**

Meeting Date:	11/18/2015		
Requested by:	Philip Saletta	**Submitted By:**	Philip Saletta, Water
Department:	Water		

Information

SUBJECT:

Resolution No. (R)15-67, authorizing and approving Amendment 3 to Addendum 1 of the Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson telating to effluent and reclaimed water

RECOMMENDATION:

Water Utility staff and the Water Utility Commission recommend approval.

EXECUTIVE SUMMARY:

The Town has an Intergovernmental Agreement (IGA) with the City of Tucson for reclaimed water. This IGA is being amended to extend the time frame for non-interruptible reclaimed water service and to clarify the payment requirements for shortfalls of Oro Valley wastewater effluent for reclaimed water deliveries. The five-year time extension for non-interruption is a benefit to Oro Valley during the term of the agreement. Clarifying and resolving payments for effluent shortfalls assures deliveries of reclaimed water and benefits both Tucson and Oro Valley.

BACKGROUND OR DETAILED INFORMATION:

The IGA with the City of Tucson for the delivery of wastewater effluent through the Tucson Water Reclaimed Water System was extended in 2010 and again in 2013 to allow for more time to negotiate and update the IGA. A five-year time extension is presently requested for non-interruptible reclaimed water deliveries during these years when Oro Valley is expected to have shortfalls of wastewater effluent. This extension also clarifies the payments to Tucson Water for effluent shortfalls, which now tie to CAP water costs. If the Town did not purchase the effluent shortfall from Tucson Water, then the Water Utility would have to supplement the reclaimed water deliveries with potable water supplies.

Approving this IGA will also benefit Oro Valley by allowing the Town to receive the lower-priced interruptible rate with no interruptions during the extended time frame through December 31, 2020. The City of Tucson also benefits because the amendment clarifies the payments for effluent shortfall and will now tie to the value of CAP water less the appropriate storage losses. The extension will allow for more time for Oro Valley Water Utility to assess whether it wants to pay a higher price for non-interruptible reclaimed water or choose the lower priced interruptible reclaimed water service. During this five-year period, staff will continue to evaluate the estimated number of interruptions that may occur in a year. Our review to date indicates that the risk of interruption is low and is less than 5% of total deliveries of reclaimed water. This additional time will be valuable to more thoroughly assess the risk and frequency of reclaimed water delivery interruptions.

FISCAL IMPACT:

There is little or no financial impact. The change relates to the clarification for the payments to Tucson Water for effluent shortfalls, which will now tie to CAP water costs.

SUGGESTED MOTION:

I MOVE to approve Resolution No. (R)15-67, authorizing and approving Amendment 3 to Addendum 1 of the Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson relating to effluent and reclaimed water.

Attachments

(R)15-67 Amendment 3 to Reclaimed IGA

RECLAIMED AMENDMENT 3

RECLAIMED IGA ADDENDUM 1

RESOLUTION NO. (R)15-67

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING AMENDMENT NUMBER 3 TO ADDENDUM 1 OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE CITY OF TUCSON RELATING TO EFFLUENT AND TO RECLAIMED WATER

WHEREAS, pursuant to ARS § 11-952, the Town of Oro Valley is authorized to enter Intergovernmental Agreements for joint and cooperative action with other public agencies; and

WHEREAS, pursuant to ARS § 9-511, *et seq.*, the Town has the requisite statutory authority to acquire, own and maintain a water utility for the benefit of the landowners within and the without the Town's corporate boundaries; and

WHEREAS, the Town entered into Addendum 1 of the Intergovernmental Agreement (IGA) between the Town and the City of Tucson relating to the effluent and to reclaimed water on October 27, 2003; and

WHEREAS, Addendum 3 of the IGA has terms which will expire on December 31, 2020; and

WHEREAS, the Town and the City of Tucson desire to enter into Amendment Number 3 to Addendum 1 of the IGA to extend the Intergovernmental Agreement an additional five (5) years; and

WHEREAS, it is in the best interest of the Town to enter into Amendment Number 3 to Addendum 1 of the Intergovernmental Agreement with the City of Tucson, attached hereto as Exhibit "A" and incorporated herein by this reference, in order to set forth the terms and conditions of extending the terms of the Agreement another five (5) years.

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

1. Amendment Number 3 to Addendum 1 of the Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson, attached hereto as Exhibit "A", extending the terms of Addendum 1 for another five (5) years is hereby authorized and approved.

2. The Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as necessary to execute and implement the terms of the Amendment.

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

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

AMENDMENT NUMBER 3 TO ADDENDUM 1 TO THE CITY OF TUCSON – TOWN OF ORO VALLEY INTERGOVERNMENTAL AGREEMENTS RELATING TO EFFLUENT AND TO RECLAIMED WATER

Amendment Number 3

WHEREAS, the City of Tucson ("City") and the Town of Oro Valley ("Town") entered into Addendum 1 to an Intergovernmental Agreement ("IGA") relating to effluent and to reclaimed water on October 27, 2003, attached hereto as Exhibit "A", and recorded at Docket 12177, Page 442 through 449.

WHEREAS, the Addendum would have expired on October 31, 2010 if it had not been not subsequently amended through Amendments No. 1 and No. 2, and by the respective Directors, through October 31, 2015,

WHEREAS, the parties desire to extend the IGA an additional five (5) years.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein, set forth and for other good and valuable consideration, the parties agree to amend the IGA as follows:

3. Reservation of Capacity within Tucson's Reclaimed Water Distribution System.

B. *Subsequent Capacity Reservations:* After December 31, 2020, Tucson will only guarantee the delivery of Oro Valley's Reclaimed Water to Oro Valley from its Thornydale Reservoir if Oro Valley and Tucson agree to the provision of Reclaimed Water on a Non-interruptible basis through a subsequent Addendum to the Effluent IGA and the Reclaimed Water IGA. Tucson would in such subsequent Addendum agree to delivery of a peak daily flow of 3.75 million gallons every 24 hours, subject to the provisions of Section 3(A)(1) of this Addendum. Tucson will provide Oro Valley with the opportunity to guarantee, through such subsequent Addendum, a Non-interruptible supply of at least 3.75 mgd through Thornydale Road Reclaimed Reservoir at least six (6) months before Tucson agrees to deliver Reclaimed Water to third party Customers through the NW System. In the event that Tucson and Oro Valley do not enter into a subsequent Addendum for Non-interruptible service, Oro Valley may elect to continue to be supplied with Interruptible As Available Oro Valley Reclaimed Water, subject to Tucson's then-existing other Non-interruptible Customer commitments.

1. Under Section 4.2.1.3 of the Effluent IGA and Exhibit 3 to that IGA, Oro Valley has a daily entitlement to Effluent; for purposes of Oro Valley's Reclaimed Water deliveries under Sections 3(A) and 3(B) of this Addendum, Tucson agrees to calculate Oro Valley's Effluent and Reclaimed Water entitlements on an annual basis.

4. Charges for Interruptible Reclaimed Water

A. Until December 31, 2020, Tucson shall charge Oro Valley for deliveries of Oro Valley's Reclaimed Water on the following basis: Oro Valley will pay the "Interruptible" or "Environmental Rate" established in Section 5.2.2.1 of the 2000 Supplemental IGA between Tucson and Pima County and Section 4.2.3 of the Effluent IGA.

1. If demand on the Oro Valley System starting on January 1, 2016, should exceed the Oro Valley Effluent Capacity, City agrees to provide the Town with Reclaimed Water from City Effluent as if it were Reclaimed Water from Oro Valley Effluent, but under the following additional terms: Tucson Water calculates regional effluent entitlements for each Calendar Year as part of its oversight of the Santa Cruz River Managed Recharge Projects; these calculations are typically made during the following months, and final calculations are provided to the Arizona Department of Water Resources in March/April. Thus, for Calendar Year 2016, the calculations will be complete in the early spring of 2017. If such calculations show that the Town has exceeded its Effluent entitlement in the previous Calendar Year, City will provide Town with notice of any such exceedance along with the aforementioned Effluent calculations. Oro Valley shall have the right to review and confirm any such calculations for a period of one month following the notice.

    a. The Town may compensate City for City Effluent delivered to Oro Valley during the previous Calendar Year by electing one or a combination of the following methods:

        1. The Town may compensate City for its Effluent by paying City for Effluent at the rate of 93 (ninety-three) percent of the "firm" cost of Central Arizona Project M&I Water for the previous Calendar Year for each acre-foot of City Effluent that was delivered to Oro Valley during that previous Calendar Year, in addition to payments that will already have been made at the Environmental Rate. As an example, for 2016, the cost of CAP M&I water is $161, and Oro Valley would be responsible for paying 93% of $161 which is $149.73 per acre-foot.

        2. The Town may compensate the City for its Effluent by transferring to City any long-term storage credits accrued by the Town in the Tucson Active Management Area, at a ratio so that for each 100 acre-feet of City Effluent delivered to the Town, Town may elect to transfer 93 long term storage credits, in addition to any payments that will have

already been made at the Environmental Rate. Tucson and Oro Valley agree to share the Arizona Department of Water Resources administrative fees to transfer credits on an equal basis (50%).

b. Any transfer pursuant to Section 4(A)(1)(a) shall be completed prior to the beginning of the following fiscal year. For example, Town will compensate City for any Calendar Year 2016 deliveries by July 1, 2017. The obligations established in this Section will extend to the end of any Fiscal Year following any termination or expiration of the Effluent IGA, (likely June 30, 2021).

5(B). After December 21, 2020, Tucson will not guarantee the delivery or supply of Oro Valley's Reclaimed Water unless Oro Valley and Tucson have entered into an Addendum to the Effluent IGA as contemplated in Sections 3(B) and 5(B) of this Addendum. If Oro Valley elects to take delivery of Oro Valley's Reclaimed Water on an Interruptible As Available basis, Oro Valley will pay the "Interruptible" or "Environmental Rate" established in Section 5.2.2.1 of the 2000 Supplemental IGA between Tucson and Pima County and Section 4.2.3 of the Effluent IGA.

All other provisions of the IGA not specifically revised by this Amendment shall remain in effect and be binding upon the parties. This amendment may be adopted in counterparts with copies of each executed document provided to the other party subsequent to adoption by each respective elected body.

IN WITNESS WHEREOF, the parties do hereby affix their signatures and do hereby agree to carry out the terms of this amendment to the original IGA.

CITY OF TUCSON	**TOWN OF ORO VALLEY**
_____	_____
Jonathan Rothschild, Mayor	Dr. Satish I. Hiremath, Mayor
ATTEST:	**ATTEST:**
_____	_____
Roger Randolph, City Clerk	Julie Bower, Town Clerk
Date: _____	Date: _____

Intergovernmental Determination

The foregoing Intergovernmental Agreement between the City of Tucson and the Town of Oro Valley has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

City Attorney	Town Attorney

ADDENDUM 1 TO CITY OF TUCSON - TOWN OF ORO VALLEY INTERGOVERNMENTAL AGREEMENTS RELATING TO EFFLUENT AND TO RECLAIMED WATER

This Addendum ("Addendum 1") is entered into this 27th day of Oct., 2003 by and between the City of Tucson ("Tucson") and the Town of Oro Valley ("Oro Valley").

RECITALS.

A. WHEREAS, Tucson, pursuant to a 1979 Effluent IGA with Pima County ("1979 IGA"), and a 2000 Supplemental Effluent IGA with Pima County dated February 7, 2000 ("2000 Supplemental IGA"), owns the Effluent derived from the Metropolitan Area wastewater treatment plants (currently Roger Road and Ina Road), subject to: the Conservation Effluent Pool established in the 2000 Supplemental IGA, the entitlement of Pima County to 10% of the Effluent, and the entitlement of the Secretary of Interior to the SAWRSA Effluent; and Tucson has waived its right to control Effluent derived from Non-Metropolitan Area wastewater treatment plants, subject to certain conditions in the 2000 Supplemental IGA; and

B. WHEREAS, on or about November 5, 2001, Tucson and Oro Valley entered into an Intergovernmental Agreement Relating to Effluent ("the Effluent IGA")and an Intergovernmental Agreement Relating to Reclaimed Water ("the Reclaimed Water IGA"), as part of a comprehensive Settlement Agreement to resolve potential litigation between Tucson and Oro Valley; and

C. WHEREAS, Section 4.2.3 of the Effluent IGA expressly contemplates that that Tucson and Oro Valley may enter into a supplemental agreement regarding Tucson production and delivery of Reclaimed Water produced from Oro Valley's effluent in the existing Tucson production and delivery facilities; and

D. WHEREAS, Section 4.2.3.1.4 of the Effluent IGA provides that if "specific capital improvements to Tucson's system are needed to accomplish the delivery of Reclaimed Water from Oro Valley's effluent" the parties may enter into a "written agreement for the development of such capital improvements"; and

E. WHEREAS, Oro Valley desires to obtain financing for and begin construction of certain Reclaimed Water delivery facilities to connect to Tucson's existing production and delivery facilities, and to obtain financing for and begin construction of certain improvements to Tucson's facilities; and

CITY CLERK'S NOTE: PURSUANT TO A.R.S. SECTION 11-952(G), FILED WITH THE PIMA COUNTY RECORDER ON 11/14/03 IN BOOK 12177, PAGES 442 THROUGH 449 (KSD:jr)

EXHIBIT A to Resolution No. 19703
Contract No. 0232-04

F. WHEREAS, Tucson and Oro Valley wish to complete the agreement for construction of capital improvements contemplated in the Effluent IGA, and to resolve certain of the terms by which the City will produce and deliver Reclaimed Water produced from Oro Valley's Effluent in the existing Tucson production and delivery facilities, as contemplated in the Reclaimed Water IGA.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

AGREEMENT

1. Point of Delivery. Tucson agrees to deliver Oro Valley's Reclaimed Water to Oro Valley at the Thornydale Reclaimed Reservoir, and to provide Oro Valley with any easement or access rights at the Thornydale Reclaimed Reservoir site, referenced as Exhibit A to this Agreement, that may be necessary to connect the Oro Valley Reclaimed Water System ("OVR System") to the Tucson Northwest Reclaimed Delivery ("NW") System.

2. Construction of Improvements to the City of Tucson Reclaimed Water System.

A. *Improvements to Thornydale Reclaimed Reservoir Site*: Oro Valley shall pay Tucson $60,000.00 to design a separate Booster Station and Interconnect to the Thornydale Reclaimed Reservoir, and will pay for the construction of the Booster Station and Interconnect at a cost to be submitted through a competitive bidding process. Oro Valley shall have the right to review the bids and, together with Tucson, agree on the recommendation of award. These new improvements will connect to the OVR System. Oro Valley and Tucson agree to consult in good faith regarding the location of these Improvements.

1. Following the construction of the Booster Station and Interconnect, Tucson shall be responsible for the maintenance and operation of all Improvements located at the Reservoir Site, and shall offer Oro Valley reasonable access to the Site as necessary to operate the OVR System. The west right-of-way line of Thornydale Road will be the maintenance interface point between the NW System and the OVR System. The Directors of the Tucson and Oro Valley Water Departments shall have the authority to memorialize the operating terms in a subsequent operating agreement. Tucson will maintain any infrastructure west of the interface point and Oro Valley will maintain infrastructure east of that point.

B. *Construction of In-Line Booster Facility*: This Booster is a necessary addition to the City of Tucson's NW System in order to provide reclaimed water to Oro Valley. The In-Line Booster shall increase the capacity of the Thornydale Reclaimed Transmission Line to an estimated capacity of 10 million gallons per day (mgd), and initially Oro Valley requires 3.75 mgd of this capacity for the Oro

Valley Reclaimed System. Oro Valley may, however, use any and all NW System capacity not otherwise allocated. Thus, Oro Valley shall be initially responsible for fifty percent (50%) of the Booster's Construction Costs.

1. Tucson has also agreed, on a contingent basis, to reserve certain capacity in its Reclaimed Water Distribution System to serve the Dove Mountain Development. The "Fourth Amendment to Water Service Agreement" was adopted by City of Tucson Resolution 19272, between Tucson and the Dove Mountain developers ("Dove Mountain"). Should Dove Mountain elect to construct more than 63 holes of golf pursuant to the Fourth Amendment, Tucson will be required to construct the In-Line Booster facility on its NW System. The Fourth Amendment also provides that Dove Mountain must commence construction of the 73rd through 81st holes of golf by July 2007, and the 82nd through 90th holes of golf by July 2010. If Dove Mountain elects to construct more than 72 holes of golf, requiring the provision of more than 5.0 mgd to Dove Mountain, the City of Tucson shall refund the monies Oro Valley has expended for construction of the In-Line Booster in an amount equal to the difference between Oro Valley's fifty percent (50%) contribution and the amount of an Oro Valley contribution proportional to a percentage share of the remaining capacity available to Oro Valley.

3. Reservation of Capacity within Tucson's Reclaimed Water Distribution System.

A. *Initial Reservation of 3.75 Mgd Peak Day Capacity.* Following construction of the Oro Valley Improvements, Tucson will guarantee delivery of Oro Valley's Reclaimed Water to Oro Valley at the Interruptible rate, with a peak daily flow of 3.75 million gallons every 24 hours, to the Oro Valley Reclaimed Water Distribution System, through the Thornydale Reclaimed Reservoir.

1. Should Dove Mountain not elect to exercise its rights to construct as many as 90 holes of golf, Oro Valley shall have a right of first refusal to utilize the remaining unallocated capacity (5.0 mgd) of the NW System before Tucson agrees to use those facilities to serve Reclaimed Water to any third party. The City of Tucson shall provide notice of unclaimed Dove Mountain-dedicated capacity within three (3) months of its receipt of notice that Dove Mountain rights will go unclaimed. Oro Valley must exercise its right to claim the remaining capacity within three (3) months of Tucson's notification.

B. *Subsequent Capacity Reservations*: After five years have elapsed from the initiation of deliveries of Oro Valley's Reclaimed Water or from October 31, 2005, whichever occurs first, Tucson will only guarantee the delivery of Oro Valley's Reclaimed Water to Oro Valley from its Thornydale Reservoir if Oro Valley and Tucson agree to the provision of Reclaimed Water on a Non-interruptible basis through a subsequent Addendum to the Effluent IGA and the Reclaimed Water

IGA. Tucson would in such subsequent Addendum agree to delivery of a peak daily flow of 3.75 million gallons every 24 hours, subject to the provisions of Section 3(A)(1) of this Addendum. Tucson will provide Oro Valley with the opportunity to guarantee, through such subsequent Addendum, a Non-interruptible supply of at least 3.75 mgd through Thornydale Road Reclaimed Reservoir at least six (6) months before Tucson agrees to deliver Reclaimed Water to third party Customers through the NW System. In the event that Tucson and Oro Valley do not enter into a subsequent Addendum for Non-interruptible service, Oro Valley may elect to continue to be supplied with Interruptible As Available Oro Valley Reclaimed Water, subject to Tucson's then-existing other Non-interruptible Customer commitments.

1. Under Section 4.2.1.3 of the Effluent IGA and Exhibit 3 to that IGA, Oro Valley has a daily entitlement to Effluent; for purposes of Oro Valley's Reclaimed Water deliveries under Sections 3(A) and 3(B) of this Addendum, Tucson agrees to calculate Oro Valley's Effluent and Reclaimed Water entitlements on an annual basis.

C. *Capital Improvements for Interruptible rate*: Oro Valley may make improvements to the NW System in order to provide sufficient capacity to allow Oro Valley to continue to receive Oro Valley's Reclaimed Water at the Interruptible Rate. Tucson and Oro Valley shall memorialize the precise terms of such improvements in a subsequent addendum to the Effluent IGA.

D. Oro Valley shall elect to be supplied with either an entirely Interruptible or an entirely Non-interruptible supply of Reclaimed Water, but Tucson will not provide a blended supply of both Interruptible and Non-Interruptible Reclaimed Water for water from either Oro Valley's or Tucson's Effluent through the NW System.

E. *Interruption of reclaimed water service:* Tucson may Interrupt deliveries of Oro Valley's Reclaimed Water when it determines, in good faith, that continued deliveries will compromise its ability to deliver Reclaimed Water to its Customers. Such circumstances may include, but shall not be limited to, the following situations:

1. Cumulative demand on the Tucson Reclaimed Water delivery system may exceed Tucson's ability to supply reclaimed water to both its Non-interruptible and Interruptible customers, and therefore require Tucson to reduce deliveries to its Interruptible customers in order to meet its Non-interruptible customers' delivery requirements.

2. A failure in Tucson's reclaimed water system, or potential violation of Tucson's Reclaimed Water Permits, requires Tucson to reduce its deliveries to the Interruptible customers in order retain the ability to serve its Non-interruptible customers.

F. *Notification of Interruption.*

1. Tucson shall notify the Town of any Interruptions or impending Interruptions in the production, delivery or ability to take Reclaimed Water 48 hours prior to a foreseen Interruption or as soon as practical when the Interruption is not foreseen. In the event that the City takes action to resume the interrupted service, the costs of such action will be the sole responsibility of the City.

2. The notification by Tucson shall contain the following information:

a. The commencement of Interruption in production and delivery of Reclaimed Water, if the Interruption is foreseen;

b. The anticipated percentage (%) of reduction in capacity;

c. The anticipated date and time when production and delivery of Reclaimed Water will be restored;

d. An estimated volume of Reclaimed Water that could be delivered during the 48 hours prior to the interruption to protect irrigation needs;

3. If an Interruption in the production or delivery of Reclaimed Water is due to a break in the Reclaimed Water line, the Town shall be informed of this condition as soon as Tucson is aware that a break in the Reclaimed Water line has occurred.

4. If an Interruption in the production or delivery of Reclaimed Water is due to a violation of Tucson's Reclaimed Water Reuse Permit, Tucson shall notify the Town of the nature of such violation and the anticipated date and time Reclaimed Water production and delivery is expected to be resumed in compliance with the terms of Tucson's Reclaimed Water Reuse Permit, and such additional information as the Town may require to comply with terms of its additional permits.

4. Charge for Interruptible Reclaimed Water.

A. For the first five (5) years following the initiation of deliveries of Oro Valley's Reclaimed Water or from October 31, 2005, whichever occurs first, Tucson shall charge Oro Valley for deliveries of Oro Valley's Reclaimed Water on the following basis: Oro Valley will pay the "Interruptible" or "Environmental Rate" established in Section 5.2.2.1 of the 2000 Supplemental IGA between Tucson and Pima County and Section 4.2.3 of the Effluent IGA.

B. After five (5) years have elapsed from the initiation of deliveries of Oro Valley's Reclaimed Water or from October 31, 2005, whichever occurs first, Tucson will not guarantee the delivery or supply of Oro Valley's Reclaimed Water unless Oro Valley and Tucson have entered into Addendum to the Effluent IGA as contemplated in Sections 3(B), 3(C) and 5(B) of this Addendum. If Oro Valley elects to take delivery of Oro Valley's Reclaimed Water on an Interruptible As Available basis, Oro Valley will pay the "Interruptible" or "Environmental Rate" established in Section 5.2.2.1 of the 2000 Supplemental IGA between Tucson and Pima County and Section 4.2.3 of the Effluent IGA.

5. Charge for Non-Interruptible Reclaimed Water.

A. Throughout the Terms of the Effluent and Reclaimed Water Intergovernmental Agreements, Oro Valley shall have the option to elect to be supplied with Non-interruptible Reclaimed Water. This option may render Oro Valley in an inferior position to Tucson's other Non-interruptible Customer commitments, if Tucson shall have complied with Section 3(B), above, before acquiring such Customers. If Oro Valley requests Non-interruptible Reclaimed Water service through the NW System, Tucson shall charge Oro Valley for such supply pursuant to the rate for Non-interruptible water established in Sections IV and V of the Reclaimed Water IGA.

B. Before Tucson supplies Oro Valley with Reclaimed Water at the Non-interruptible rate, Tucson and Oro Valley shall memorialize the precise terms of such service in a subsequent addendum to the Effluent IGA.

6. Consistency with Other Agreements. The definitions and terms of this Addendum shall have the meanings established in the definitions and terms found within the Effluent IGA and the Reclaimed IGA, and shall be interpreted to be consistent with those Agreements, with the addition of the following terms:

A. "Tucson's Effluent" shall mean Effluent derived from Waters of Tucson.

B. "Customer" shall mean a party that has signed a reclaimed water agreement and entered into a contractual relationship with Tucson for a Non-interruptible supply of Reclaimed Water.

C. "Interruption" shall mean any reduction in the production or delivery of Reclaimed Water, up to and including complete termination of such production or delivery for a finite period of time.

D. "Oro Valley's Reclaimed Water" shall mean Reclaimed Water produced from Oro Valley's Effluent.

7. Additional Documents. The parties agree to execute such further documents as may be necessary to carry out the terms and intent of this Addendum.

8. Entire Agreement. This Agreement and the Exhibits hereto contain the entire Agreement between the parties, and the terms of this Agreement are contractual, not merely a recital.

9. Recordation. This Addendum shall be recorded with the County Recorder of Pima County, Arizona after the Addendum has been approved and executed by the parties.

10. Successors and Assigns. This Agreement and all of the terms and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of all of the parties hereto.

11. Notices. All notices shall be in writing and together with other mailings pertaining to this Agreement shall be made to:

FOR ORO VALLEY:

Town Manager
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

WITH COPY TO:

Oro Valley Attorney
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

FOR TUCSON:

Director
Tucson Water
P.O. Box 27210
Tucson, AZ 85726

With Copy to:

City Attorney
City of Tucson
P.O. Box 27210
Tucson, AZ 85726

or as otherwise specified from time to time by each party.

12. Miscellaneous. The parties agree and acknowledge that time is of the essence with respect to this Agreement. If any lawsuit or other enforcement proceeding is brought to enforce this Agreement, the prevailing party shall be entitled to recover the costs and expenses of such action and reasonable attorneys' fees incurred. The Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.

13. Effective Date. This Agreement shall become effective when the Agreement has been executed by all of the parties and their respective legal counsel and has been recorded at the office of the Pima County Recorder.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands the day and year first above written.

CITY OF TUCSON

By: _____
Robert E. Walkup, Mayor
OCT 27 2003

ATTEST:

By: _____
Kathy Detrick, City Clerk
OCT 27 2003

APPROVED AS TO FORM:

By: _____
Michael D. House, City Attorney

TOWN OF ORO VALLEY

By: _____
Paul Loomis, Mayor

ATTEST:

By: _____
Town Clerk

APPROVED AS TO FORM:

By: _____
Town Attorney

Town Council Regular Session **Item # G.**

Meeting Date: 11/18/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Consent for the Town Manager, Human Resources Director and Town Attorney to take action as was discussed in Executive Session

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

I MOVE to give consent to the Town Manager, Human Resources Director and Town Attorney to take action as was discussed in Executive Session

---

Town Council Regular Session **Item # H.**

Meeting Date: 11/18/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Resolution No. (R)15-69 declaring and adopting the results of the Oro Valley Recall Election held on November 3, 2015 **(**Item updated on 11/12/15 at 4:00 p.m.)**

RECOMMENDATION:

The attached resolution declares and adopts the results of the Recall Election held on November 3, 2015. The Election Summary Report, Votes by Precinct Reports and the Statement of Votes Cast are also attached.

EXECUTIVE SUMMARY:

There were 27,941 registered voters and 15,142 ballots cast in the election for a voter turnout of 54%. The final Election Summary reported the following votes cast:

Oro Valley Mayor

Hiremath, Satish	7,612
Straney, Patrick "Pat"	6,350

Oro Valley Councilmember

Waters, Lou	7,499
Didio, Steve	6,937

Oro Valley Councilmember

Hornat, Joe	7,491
Hartung, Ryan	7,183

Oro Valley Councilmember

Snider, Mary	7,499
Lamonna, Shirl	5,078
Burke, Doug	2,083

Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat and Councilmember Snider all received the majority of votes cast. The recall failed and Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat and Councilmember Snider have retained their Council seats.

BACKGROUND OR DETAILED INFORMATION:

Petitions containing a sufficient number of valid signatures were filed with the Town Clerk's Office on June 4, 2015, seeking to recall Councilmembers Hornat, Councilmember Snider and Vice Mayor Waters. A petition containing a sufficient number of valid signatures was filed on June 24, 2015, seeking to recall Mayor Hiremath. A special Recall Election was held on November 3, 2015.

FISCAL IMPACT:

The total cost of the special Recall Election is unknown at this time. The Town will receive an invoice outlining its share of the expenditures from the Pima County Recorder and the Elections Department. Because this is a special election, the adopted FY 2015/16 budget did not include a budget allocation in the Town Clerk's budget for election costs. At its June 17th meeting, Council authorized General Fund contingency reserves in the amount of $30,000 to pay for the special election costs.

SUGGESTED MOTION:

I MOVE to adopt Resolution No. (R)15-69 declaring and adopting the results of the Oro Valley Recall Election held on November 3, 2015

Attachments

(R)15-69 Canvass of Election Results

Canvass

RESOLUTION NO. (R) 15-69

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE RECALL ELECTION HELD ON NOVEMBER 3, 2015

WHEREAS, the Town of Oro Valley, Arizona did hold a Recall Election on the 3rd day of November, 2015, for the recall election of Mayor Satish Hiremath, Councilmember Joe Hornat, Councilmember Mary Snider and Councilmember Lou Waters; and

WHEREAS, the election returns have been presented to and have been canvassed by the Town Council; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Pima County, Arizona, as follows:

SECTION 1. That the total number of ballots cast for the Recall Election was 15,142, representing 54% of the registered voters.

SECTION 2. That the votes cast for the candidates for Mayor and Councilmembers were as follows:

Oro Valley Mayor:	
Hiremath, Satish	7,612
Straney, Patrick "Pat"	6,350

Oro Valley Councilmembers:	
Hornat, Joe	7,491
Hartung, Ryan	7,183
Snider, Mary	7,499
Lamonna, Shirl	5,078
Burke, Doug	2,083
Waters, Lou	7,499
Didio, Steve	6,937

SECTION 3. Satish Hiremath having received a majority of votes cast in the Recall Election for the Office of Mayor, is hereby declared retained to the Office of Mayor for the remainder of the term.

SECTION 4. Joe Hornat, Mary Snider, and Lou Waters, each having received a majority of the votes casts in the Recall Election for the three (3) Councilmember seats,

are hereby declared retained to the Office of Councilmember for the remainder of their terms.

SECTION 5. Where it is necessary for the preservation of the peace, health and safety of the Town that this Resolution become immediately operative, this resolution shall be in full force and effect immediately upon its adoption.

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

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

PIMA COUNTY

OFFICIAL CANVASS

TOWN OF ORO VALLEY

RECALL ELECTION

NOVEMBER 3, 2015

PIMA COUNTY ELECTIONS DEPARTMENT
6550 S. COUNTRY CLUB ROAD
TUCSON, AZ 85756
TEL. 520-724-6830

ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT
6550 S. COUNTRY CLUB ROAD, TUCSON, AZ 85756
(520) 724-6830 FAX (520) 724-6870

November 9 , 2015

In accordance with Arizona Revised Statutes, Title16, I hereby certify the enclosed tabulation is a full, true and correct copy of the Returns of the Recall Election held pursuant to Arizona Constitution, Article 7 and Arizona Revised Statutes Title 9,16 and 19 in and for The Town of Oro Valley, Pima County, Arizona on November 3, 2015. This tabulation includes all early ballots and verified provisional ballots cast at said election.

Respectfully submitted,

Brad R. Nelson, Director
Pima County Elections

CANVASS INFORMATION
CONSOLIDATED ELECTION
NOVEMBER 3, 2015

EARLY BALLOTS PROCESSED

157797 Ballots Processed and Counted
15 Ballots Rejected

PROVISIONAL BALLOTS PROCESSED

3891 Ballots Received
3667 Ballots Verified
3665 Ballots Counted
2 Envelopes Verified with no ballot in Envelope
0 Rejected
224 Ballots Unverified and Uncounted

CONDITIONAL BALLOTS PROCESSED

41 Ballots Received
17 Ballots Verified and Counted
24 Ballots Unverified and Uncounted

ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT
6550 S. COUNTRY CLUB ROAD, TUCSON, AZ 85756
(520) 724-6830 FAX (520) 724-6870

October 22, 2015

The Honorable Michele Reagan
Secretary of State
State Capitol - West Wing
1700 W. Washington
Phoenix, AZ 85007

Dear Secretary Reagan:

Pursuant to A.R.S. 16-445, the Pima County Department of Elections, on behalf of the jurisdictions listed below, is filing a backup of the EVS Software and Database that is going to be used on the November 3, 2015 Consolidated Election:

Pima County – Pima Bond Election
City of Tucson – Special Election
Town of Oro Valley – Recall Election
Town of Sahuarita - Special Election
Flowing Wells – U.S.D. # 8 - Special Election
Sunnyside U.S.D. # 12- Special Election
Catalina Foothills U.S.D. # 16 - Special Election
Sahuarita U.S.D. # 30- Special Election
Continental E.S.D. # 39 - Special Election

If you have any questions, feel free to contact me at (520) 724-6830.

Sincerely,

Brad R. Nelson

Brad R. Nelson, Director
Pima County Division of Elections

ADDITIONAL REPORTING FORMS

Equipment, Software, Firmware, and Hash Code Certification Statement

I, Brad R. Nelson certify by affixing my signature to this document that all election equipment and firmware, as well as all election management system software to be used in the Consolidated Election to be held on November 3, 2015 IN Pima County has been certified for use by the Arizona Secretary of State and that I have compared the hash code on file with the National Institute of Science and Technology (NIST) or the Arizona Secretary of State's Office to the hash code of the election management system software to be used in this election and certify that the numbers are identical. The following is a list of the equipment, firmware, and election management system software to be used in the aforementioned election:

VOTING UNITS

Manufacturer	Model	Firmware Version
Diebold Elections Systems Inc.	AVTSx 4.6.4.103 w/AVPM	BLR7-1.2.1 / WCER7-410.2.1

CENTRAL COUNT UNITS

Manufacturer	Model	Firmware Version
Election Systems & Software	DS850 Version 1.0	2.10.0.0

ELECTION MANAGEMENT SOFTWARE

Manufacturer	Product Name	Version
Election Systems & Software	Elections Systems & Software Voting System	5.2.0.0

Brad R. Nelson
Officer in Charge of Elections Signature

10-22-15
Date

Revised August 2013

CERTIFICATION BY THE PIMA COUNTY ACCURACY CERTIFICATION BOARD

We, the undersigned members of the Accuracy Certification Board, having been duly appointed for the November 3, 2015 Consolidated Election held in the County of Pima, State of Arizona, on the 6th day of October, 2015 at 10:30am verify the Logic and Accuracy Test ballots as required by A.R.S. § 16-449 for use on the accessible voting devices and systems, adopted pursuant to the Secretary of State's Procedures Manual, do hereby certify to the Secretary of State:

1. THAT the pre-audited group of ballots, prepared pursuant to A.R.S. § 16-449, have been used to ascertain that the equipment and programs, being used in this election, correctly counted the votes cast for all offices and measures;

2. THAT the pre-vote counting test results have been compared with the predetermined correct totals for each office and ballot measure;

3. THAT the cause of any discrepancy was found and corrected; and

4. THAT the Logic and Accuracy Test programs, the Logic and Accuracy test ballots, and the Logic and Accuracy test printed output which were certified as correct by the Accuracy Certification Board were delivered into the custody of the Elections Director or the Office of the Secretary of State.

We declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct.

Member's Signature	Date: 10/6/15	Member's Signature	Date: 10/6/15
Member's Signature	Date: 10/6/15	Member's Signature	Date: 10-6-15
Member's Signature	Date: 10/6/15	Member's Signature	Date

CERTIFICATION BY THE PIMA COUNTY ACCURACY CERTIFICATION BOARD

We, the undersigned members of the Accuracy Certification Board, having been duly appointed for the November 3, 2015 Consolidated Election held in the County of Pima, State of Arizona, on the 27th day of October, 2015 at 10:15am verify the Logic and Accuracy Test ballots as required by A.R.S. § 16-449 for use on the central count systems, adopted pursuant to the Secretary of State's Procedures Manual, do hereby certify to the Secretary of State:

1. THAT the pre-audited group of ballots, prepared pursuant to A.R.S. § 16-449, have been used to ascertain that the equipment and programs, being used in this election, correctly counted the votes cast for all offices and measures;

2. THAT the pre-vote counting test results have been compared with the predetermined correct totals for each office and ballot measure;

3. THAT the cause of any discrepancy was found and corrected; and

4. THAT the Logic and Accuracy Test programs, the Logic and Accuracy test ballots, and the Logic and Accuracy test printed output which were certified as correct by the Accuracy Certification Board were delivered into the custody of the Elections Director or the Office of the Secretary of State.

We declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct.

SUPT. OF SCHOOLS	10/27/15
Member's Signature	Date
Barbara Tellman	10/27/15
Member's Signature	Date
Leah Cox	10/27/15
Member's Signature	Date
[illegible]	10/27/15
Member's Signature	Date
[illegible]	10/27/15
Member's Signature	Date
R. [illegible]	10-27-15
Member's Signature	Date

POLITICAL PARTY TEST
CERTIFICATION FORM

TSX MACHINES, AND CENTRAL COUNT TEST

We the undersigned do hereby certify that a Test was held for the

November 3, 2015 Consolidated Election
on the

23rd (day) **day of** October (Month), 2015 (Year) **at** 11:00am (Time)

and that the EVS System's precinct and summary report match the printouts and the pre-audit reports.

10/23/15
Member's Signature

10/23/15
Member's Signature

10/23/15
Member's Signature

10/23/15
Member's Signature

10/23/15
Member's Signature

10-23-15
Member's Signature

POLLING PLACES USED FOR THE NOVEMBER 3, 2015 RECALL ELECTION

Official Polling Place List

11/7/2015 8:37:03 AM

Consolidated Elections
November 3, 2015

VA 012 - PCTS 012
CANYON DEL ORO BAPTIST CHURCH

ROOM 4
9200 N ORACLE ROAD

VA 013 - PCTS 013
ORO VALLEY CHURCH OF THE NAZARENE

FELLOWSHIP HALL
500 W CALLE CONCORDIA

VA 024 - PCTS 024
CATALINA COMMUNITY CENTER

RECREATION ROOM
16562 N ORACLE ROAD

VA 029 - PCTS 029
ST. ODILIA CATHOLIC CHURCH

PARISH HALL
7570 N PASEO DEL NORTE

VA 077 - PCTS 077
CHURCH OF THE APOSTLES

CHURCH
12111 N LA CHOLLA BOULEVARD

VA 145 - PCTS 145
SUN CITY ORO VALLEY -CATALINA VISTA

MT. LEMMON ROOM
14055 N DEL WEBB BOULEVARD

VA 169 - PCTS 169
THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
CULTURAL HALL
55 W ARROWSMITH DRIVE

VA 172 - PCTS 172
PAINTED SKY ELEMENTARY SCHOOL

MUSIC ROOM
12620 N WOODBURNE AVENUE

VA 173 - PCTS 173
ORO VALLEY PUBLIC LIBRARY

MEETING ROOM
1305 W NARANJA DRIVE

VA 187 - PCTS 187
SHEPHERD OF THE HILLS LUTHERAN CHURCH

FELLOWSHIP HALL
8799 N NORTHERN AVENUE

VA 194 - PCTS 194
GRACE COMMUNITY COVENANT CHURCH

MULTIPURPOSE ROOM
9755 N LA CHOLLA BOULEVARD

VA 200 - PCTS 200
CASAS ADOBES BAPTIST CHURCH

NORTHWEST CENTER
10801 N LA CHOLLA BOULEVARD

VA 202 - PCTS 202
ALIVE CHRISTIAN FELLOWSHIP

LOBBY
9662 N LA CHOLLA BOULEVARD

VA 212 - PCTS 212
COPPER CREEK ELEMENTARY SCHOOL

MUSIC ROOM
11620 N COPPER SPRING TRAIL

VA 216 - PCTS 216
RESURRECTION LUTHERAN CHURCH

OUTREACH CENTER
11575 N 1ST AVENUE

ELECTION SUMMARY

E&l2a0o7c067F(s0p16.66h3b6T&a00L
SUMMARY REPT-GROUP DETAIL

CONSOLIDATED ELECTIONS
NOVEMBER 3, 2015
PIMA COUNTY, STATE OF ARIZONA

REPORT-EL45A PAGE 001

RUN DATE:11/09/15 09:13 AM

	TOTAL VOTES	%	POLLS	EARLY	PROV
PRECINCTS COUNTED (OF 248).	248	100.00			
REGISTERED VOTERS - TOTAL	493,885				
BALLOTS CAST - TOTAL.	190,173		28,709	157,782	3,682
BALLOTS CAST - BLANK.	70	.04	25	42	3
VOTER TURNOUT - TOTAL		38.51			
VOTER TURNOUT - BLANK		.01			

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1
(WITH 15 OF 15 PRECINCTS COUNTED)

HIREMATH, SATISH	7,612	51.33	1,038	6,446	128
STRANEY, PATRICK "PAT"	6,350	42.82	969	5,271	110
WINFIELD, JOSEPH	838	5.65	55	767	16
WRITE-IN.	29	.20	5	23	1
Over Votes	12		4	7	1
Under Votes	301		32	261	8

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1
(WITH 15 OF 15 PRECINCTS COUNTED)

HORNAT, JOE.	7,491	50.96	986	6,386	119
HARTUNG, RYAN	7,183	48.87	1,048	6,004	131
WRITE-IN.	25	.17	2	22	1
Over Votes	9		4	4	1
Under Votes	434		63	359	12

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1
(WITH 15 OF 15 PRECINCTS COUNTED)

SNIDER, MARY	7,499	51.09	989	6,389	121
LAMONNA, SHIRL.	5,078	34.60	738	4,264	76
BURKE, DOUG.	2,083	14.19	317	1,721	45
WRITE-IN.	18	.12	1	16	1
Over Votes	10		2	8	0
Under Votes	454		56	377	21

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1
(WITH 15 OF 15 PRECINCTS COUNTED)

WATERS, LOU.	7,499	51.85	990	6,386	123
DIDIO, STEVE	6,937	47.96	1,008	5,802	127
WRITE-IN.	28	.19	4	23	1
Over Votes	6		3	3	0
Under Votes	672		98	561	13

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STATEMENT OF VOTES CAST

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0001 001
TOTAL VOTES % POLLS EARLY PROV
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0002 002
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0003-01
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0003 003
TOTAL VOTES % POLLS EARLY PROV
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0004 004
TOTAL VOTES % POLLS EARLY PROV
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0005 005
TOTAL VOTES % POLLS EARLY PROV
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0006 006
TOTAL VOTES % POLLS EARLY PROV
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0007 007.9
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0008-01
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0008 008
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0009-01
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0009 009.9
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0010-01
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0010 010
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0011-01
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0011 011
TOTAL VOTES % POLLS EARLY PROV
PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0012-01
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0012 012
TOTAL VOTES % POLLS EARLY PROV

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1

HIREMATH, SATISH	1,047	53.78	125	898	24
STRANEY, PATRICK "PAT"	791	40.63	105	675	11
WINFIELD, JOSEPH	104	5.34	10	94	0
WRITE-IN.	5	.26	0	5	0
Over Votes	4		1	3	0
Under Votes	57		5	51	1

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	1,035	53.19	120	893	22
HARTUNG, RYAN	908	46.66	121	776	11
WRITE-IN.	3	.15	0	3	0
Over Votes	2		0	1	1
Under Votes	60		5	53	2

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	1,036	53.57	118	896	22
LAMONNA, SHIRL.	626	32.37	82	535	9
BURKE, DOUG.	270	13.96	41	226	3
WRITE-IN.	2	.10	0	2	0
Over Votes	1		0	1	0
Under Votes	73		5	66	2

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	1,039	54.57	124	893	22
DIDIO, STEVE	861	45.22	110	739	12
WRITE-IN.	4	.21	0	4	0
Over Votes	1		0	1	0
Under Votes	103		12	89	2

0013 013

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	488	53.33	80	399	9
STRANEY, PATRICK "PAT"	331	36.17	69	258	4
WINFIELD, JOSEPH	91	9.95	6	83	2
WRITE-IN.	5	.55	2	3	0
Over Votes	2		1	1	0
Under Votes	38		3	33	2
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	485	53.47	78	401	6
HARTUNG, RYAN	419	46.20	74	336	9
WRITE-IN.	3	.33	1	2	0
Over Votes	0		0	0	0
Under Votes	48		8	38	2
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	498	55.21	80	409	9
LAMONNA, SHIRL.	256	28.38	46	207	3
BURKE, DOUG.	145	16.08	25	117	3
WRITE-IN.	3	.33	1	2	0
Over Votes	1		0	1	0
Under Votes	52		9	41	2
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	526	58.84	81	436	9
DIDIO, STEVE	365	40.83	69	290	6
WRITE-IN.	3	.34	1	2	0
Over Votes	1		1	0	0
Under Votes	60		9	49	2

0024 024

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	0		0	0	0
STRANEY, PATRICK "PAT"	0		0	0	0
WINFIELD, JOSEPH	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	0		0	0	0
HARTUNG, RYAN	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0

Under Votes	0	0	0	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	0	0	0	0
LAMONNA, SHIRL.	0	0	0	0
BURKE, DOUG.	0	0	0	0
WRITE-IN.	0	0	0	0
Over Votes	0	0	0	0
Under Votes	0	0	0	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	0	0	0	0
DIDIO, STEVE	0	0	0	0
WRITE-IN.	0	0	0	0
Over Votes	0	0	0	0
Under Votes	0	0	0	0

0029 029

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	13	100.00	0	13	0
STRANEY, PATRICK "PAT"	0		0	0	0
WINFIELD, JOSEPH	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	12	92.31	0	12	0
HARTUNG, RYAN	1	7.69	0	1	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	11	84.62	0	11	0
LAMONNA, SHIRL.	0		0	0	0
BURKE, DOUG.	2	15.38	0	2	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	12	92.31	0	12	0
DIDIO, STEVE	1	7.69	0	1	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0

0077 077

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	623	54.70	89	529	5
STRANEY, PATRICK "PAT"	472	41.44	66	398	8
WINFIELD, JOSEPH	42	3.69	3	38	1
WRITE-IN.	2	.18	0	1	1
Over Votes	0		0	0	0
Under Votes	18		1	17	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	605	54.07	83	517	5
HARTUNG, RYAN	512	45.76	74	430	8
WRITE-IN.	2	.18	0	1	1
Over Votes	0		0	0	0
Under Votes	38		2	35	1
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	602	53.56	84	511	7
LAMONNA, SHIRL.	364	32.38	52	308	4

BURKE, DOUG.	157	13.97	23	133	1
WRITE-IN.	1	.09	0	0	1
Over Votes	0		0	0	0
Under Votes	33		0	31	2

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	609	55.11	82	521	6
DIDIO, STEVE	495	44.80	73	414	8
WRITE-IN.	1	.09	0	0	1
Over Votes	1		0	1	0
Under Votes	51		4	47	0

0145 145

	TOTAL VOTES	%	POLLS	EARLY	PROV

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1

HIREMATH, SATISH	1,136	38.01	123	998	15
STRANEY, PATRICK "PAT"	1,623	54.30	160	1,441	22
WINFIELD, JOSEPH	228	7.63	13	209	6
WRITE-IN.	2	.07	1	1	0
Over Votes	1		1	0	0
Under Votes	44		2	42	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	1,140	38.36	115	1,010	15
HARTUNG, RYAN	1,832	61.64	182	1,622	28
WRITE-IN.	0		0	0	0
Over Votes	1		1	0	0
Under Votes	61		2	59	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	1,173	39.53	121	1,038	14
LAMONNA, SHIRL.	1,292	43.55	137	1,138	17
BURKE, DOUG.	502	16.92	38	453	11
WRITE-IN.	0		0	0	0
Over Votes	1		0	1	0
Under Votes	66		4	61	1

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	1,137	39.10	118	1,005	14
DIDIO, STEVE	1,770	60.87	170	1,572	28
WRITE-IN.	1	.03	0	1	0
Over Votes	1		0	1	0
Under Votes	125		12	112	1

0169 169

	TOTAL VOTES	%	POLLS	EARLY	PROV

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1

HIREMATH, SATISH	951	52.51	133	801	17
STRANEY, PATRICK "PAT"	792	43.73	136	646	10
WINFIELD, JOSEPH	63	3.48	5	58	0
WRITE-IN.	5	.28	1	4	0
Over Votes	3		1	2	0
Under Votes	27		2	24	1

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	923	51.56	124	784	15
HARTUNG, RYAN	863	48.21	145	706	12
WRITE-IN.	4	.22	1	3	0
Over Votes	1		1	0	0
Under Votes	50		7	42	1

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	906	50.64	132	760	14
LAMONNA, SHIRL.	644	36.00	95	541	8
BURKE, DOUG.	235	13.14	45	187	3
WRITE-IN.	4	.22	0	4	0
Over Votes	1		1	0	0
Under Votes	51		5	43	3

ORO VALLEY COUNCIL MEMBER RECALL

(VOTE FOR) 1

WATERS, LOU.	910	51.53	127	769	14
DIDIO, STEVE	851	48.19	139	699	13
WRITE-IN.	5	.28	2	3	0
Over Votes	2		2	0	0
Under Votes	73		8	64	1

0172 172

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	614	48.58	93	513	8
STRANEY, PATRICK "PAT"	601	47.55	98	487	16
WINFIELD, JOSEPH	48	3.80	3	45	0
WRITE-IN.	1	.08	0	1	0
Over Votes	2		0	1	1
Under Votes	14		4	10	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	615	49.28	87	521	7
HARTUNG, RYAN	633	50.72	100	515	18
WRITE-IN.	0		0	0	0
Over Votes	2		1	1	0
Under Votes	30		10	20	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	603	48.39	85	511	7
LAMONNA, SHIRL.	506	40.61	82	414	10
BURKE, DOUG.	137	11.00	23	110	4
WRITE-IN.	0		0	0	0
Over Votes	1		0	1	0
Under Votes	33		8	21	4
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	612	49.51	87	519	6
DIDIO, STEVE	624	50.49	99	507	18
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	44		12	31	1

0173 173

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	760	61.00	109	633	18
STRANEY, PATRICK "PAT"	410	32.91	73	329	8
WINFIELD, JOSEPH	75	6.02	1	74	0
WRITE-IN.	1	.08	0	1	0
Over Votes	0		0	0	0
Under Votes	20		2	17	1
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	729	59.56	99	611	19
HARTUNG, RYAN	490	40.03	79	405	6
WRITE-IN.	5	.41	0	5	0
Over Votes	2		0	2	0
Under Votes	40		7	31	2
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	720	58.35	96	607	17
LAMONNA, SHIRL.	336	27.23	56	275	5
BURKE, DOUG.	176	14.26	28	145	3
WRITE-IN.	2	.16	0	2	0
Over Votes	1		0	1	0
Under Votes	31		5	24	2
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	727	59.84	99	610	18
DIDIO, STEVE	484	39.84	76	402	6
WRITE-IN.	4	.33	0	4	0
Over Votes	0		0	0	0
Under Votes	51		10	38	3

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	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	0		0	0	0
STRANEY, PATRICK "PAT"	0		0	0	0
WINFIELD, JOSEPH	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	0		0	0	0
HARTUNG, RYAN	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	0		0	0	0
LAMONNA, SHIRL.	0		0	0	0
BURKE, DOUG.	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	0		0	0	0
DIDIO, STEVE	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0

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	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL					
(VOTE FOR) 1					
HIREMATH, SATISH	951	62.24	116	819	16
STRANEY, PATRICK "PAT"	507	33.18	89	410	8
WINFIELD, JOSEPH	66	4.32	10	54	2
WRITE-IN.	4	.26	1	3	0
Over Votes	0		0	0	0
Under Votes	36		6	27	3
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
HORNAT, JOE.	931	61.41	112	804	15
HARTUNG, RYAN	580	38.26	99	470	11
WRITE-IN.	5	.33	0	5	0
Over Votes	1		1	0	0
Under Votes	47		10	34	3
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
SNIDER, MARY	927	61.23	108	803	16
LAMONNA, SHIRL.	402	26.55	66	331	5
BURKE, DOUG.	182	12.02	39	138	5
WRITE-IN.	3	.20	0	3	0
Over Votes	0		0	0	0
Under Votes	50		9	38	3
ORO VALLEY COUNCIL MEMBER RECALL					
(VOTE FOR) 1					
WATERS, LOU.	927	62.30	108	801	18
DIDIO, STEVE	556	37.37	99	449	8
WRITE-IN.	5	.34	1	4	0
Over Votes	0		0	0	0
Under Votes	76		14	59	3

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	TOTAL VOTES	%	POLLS	EARLY	PROV

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1

HIREMATH, SATISH	114	47.90	17	97	0
STRANEY, PATRICK "PAT"	99	41.60	31	65	3
WINFIELD, JOSEPH	24	10.08	0	22	2
WRITE-IN.	1	.42	0	1	0
Over Votes	0		0	0	0
Under Votes	6		1	5	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	116	48.95	19	97	0
HARTUNG, RYAN	120	50.63	29	86	5
WRITE-IN.	1	.42	0	1	0
Over Votes	0		0	0	0
Under Votes	7		1	6	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	115	49.36	18	97	0
LAMONNA, SHIRL.	68	29.18	21	45	2
BURKE, DOUG.	49	21.03	8	38	3
WRITE-IN.	1	.43	0	1	0
Over Votes	0		0	0	0
Under Votes	11		2	9	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	113	49.13	15	98	0
DIDIO, STEVE	116	50.43	31	80	5
WRITE-IN.	1	.43	0	1	0
Over Votes	0		0	0	0
Under Votes	14		3	11	0

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	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL (VOTE FOR) 1					
HIREMATH, SATISH	0		0	0	0
STRANEY, PATRICK "PAT"	0		0	0	0
WINFIELD, JOSEPH	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL (VOTE FOR) 1					
HORNAT, JOE.	0		0	0	0
HARTUNG, RYAN	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL (VOTE FOR) 1					
SNIDER, MARY	0		0	0	0
LAMONNA, SHIRL.	0		0	0	0
BURKE, DOUG.	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
ORO VALLEY COUNCIL MEMBER RECALL (VOTE FOR) 1					
WATERS, LOU.	0		0	0	0
DIDIO, STEVE	0		0	0	0
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0

PREC REPORT-GROUP DETAIL CONSOLIDATED ELECTIONS REPORT-EL30A PAGE 0212-01
NOVEMBER 3, 2015
PIMA COUNTY, STATE OF ARIZONA
RUN DATE:11/09/15 09:04 AM

0212 212

	TOTAL VOTES	%	POLLS	EARLY	PROV
ORO VALLEY MAYORAL RECALL (VOTE FOR) 1					
HIREMATH, SATISH	366	58.75	80	277	9
STRANEY, PATRICK "PAT"	227	36.44	62	160	5
WINFIELD, JOSEPH	30	4.82	1	27	2
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0

Under Votes	17		4	13	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	349	56.29	73	268	8
HARTUNG, RYAN	271	43.71	69	194	8
WRITE-IN.	0		0	0	0
Over Votes	0		0	0	0
Under Votes	20		5	15	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	360	58.44	76	276	8
LAMONNA, SHIRL.	178	28.90	46	131	1
BURKE, DOUG.	78	12.66	20	51	7
WRITE-IN.	0		0	0	0
Over Votes	2		0	2	0
Under Votes	22		5	17	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	344	56.39	74	260	10
DIDIO, STEVE	265	43.44	68	191	6
WRITE-IN.	1	.16	0	1	0
Over Votes	0		0	0	0
Under Votes	30		5	25	0

0216 216

	TOTAL VOTES	%	POLLS	EARLY	PROV

ORO VALLEY MAYORAL RECALL
(VOTE FOR) 1

HIREMATH, SATISH	549	49.19	73	469	7
STRANEY, PATRICK "PAT"	497	44.53	80	402	15
WINFIELD, JOSEPH	67	6.00	3	63	1
WRITE-IN.	3	.27	0	3	0
Over Votes	0		0	0	0
Under Votes	24		2	22	0

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

HORNAT, JOE.	551	49.77	76	468	7
HARTUNG, RYAN	554	50.05	76	463	15
WRITE-IN.	2	.18	0	2	0
Over Votes	0		0	0	0
Under Votes	33		6	26	1

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

SNIDER, MARY	548	49.55	71	470	7
LAMONNA, SHIRL.	406	36.71	55	339	12
BURKE, DOUG.	150	13.56	27	121	2
WRITE-IN.	2	.18	0	2	0
Over Votes	2		1	1	0
Under Votes	32		4	26	2

ORO VALLEY COUNCIL MEMBER RECALL
(VOTE FOR) 1

WATERS, LOU.	543	49.59	75	462	6
DIDIO, STEVE	549	50.14	74	458	17
WRITE-IN.	3	.27	0	3	0
Over Votes	0		0	0	0
Under Votes	45		9	36	0

E

Town Council Regular Session **Item # 1. A.**

Meeting Date: 11/18/2015
Requested by: Bayer Vella
Submitted By: Chad Daines, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)15-68, DECLARING THE PROPOSED AMENDMENTS TO VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) (27.7.E.6.B; 23.8B; 25.1.E; 27.7D; 27.7.G.4.e; ADDING 25.1X; 27.10.D.3; 2.1.P.1) RELATING TO SENIOR CARE FACILITIES, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

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

BACKGROUND OR DETAILED INFORMATION:

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

FISCAL IMPACT:

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

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)15-68, declaring the proposed amendments to various sections of the Oro Valley Zoning Code Revised related to senior care facilities, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

Attachments

(R)15-68 Public Record - Senior Care

RESOLUTION NO. (R)15-68

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENTS TO BE PLACED WITHIN CHAPTER 23 ZONING DISTRICTS; SECTIONS 23.7.E.6.b RECREATIONAL FACILITIES, AND 23.8.B C-N NEIGHBORHOOD COMMERICAL DISTRICT; CHAPTER 25, USE REGULATIONS, SECTION 25.1.E COMMUNITY RESIDENCES; CHAPTER 27, GENERAL DEVELOPMENT SETTINGS, SECTIONS 27.7.D PARKING LOTS – REQUIRED NUMBER OF SPACES FOR TYPE OF USE, AND; TABLE 27-14 ALLOWED PARKING SPACES; SECTION 27.7.G.4.e. PASSENGER DROP-OFF POINTS; CHAPTER 31 DEFINITIONS; AND ADDING 25.1.X SENIOR CARE FACILITY, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document of the Oro Valley Town Code, entitled Chapter 23 Zoning Districts; Sections 23.7.E.6.b Recreational Facilities, and 23.8.B C-N Neighborhood Commercial District; Chapter 25, use regulations, Section 25.1.E Community Residences; Chapter 27, General Development Settings, Sections 27.7.D Parking Lots – Required Number of Spaces for Type of Use, and; Table 27-14 Allowed Parking Spaces; Section 27.7.G.4.e; Chapter 31 Definitions and add Section 25.1.X, Senior Care Facility is attached hereto as Exhibit "A", three copies of which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

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

TOWN OF ORO VALLEY

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT "A"

ADD The following NEW Definitions to Chapter 31

SENIOR CARE FACILITY

SHALL MEAN A HEALTH CARE FACILITY PROVIDING SINGLE OR MULTIPLE TYPES OF SENIOR CARE, INCLUDING INDEPENDENT LIVING FACILITIES OR FACILITIES DEFINED AND LICENSED BY THE STATE OF ARIZONA AS AN ASSISTED LIVING FACILITY, HOSPICE IN-PATIENT FACILITY, NURSING CARE INSTITUTION OR SIMILARILY LICENSED FACILITIES.

ASSISTED LIVING HOME

SHALL MEAN A DWELLING UNIT USED AS A PRIMARY RESIDENCE FOR TEN (10) OR FEWER RESIDENTS WHO RECEIVE SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICES OR DIRECTED CARE SERVICES ON A CONTINUAL BASIS.

AMEND the following existing definitions in Chapter 31
Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Independent Living Facility

Shall mean A SENIOR CARE FACILITY WHICH PROVIDES RESIDENT BEDS OR RESIDENTIAL LIVING UNITS FOR ~~one (1) or more residential buildings containing multiple dwelling units, each of which has sleeping quarters, a full kitchen and bath, and/or sleeping units. Independent living facilities are intended for, and shall be limited to,~~ occupancy by adults who are able to live independently and do not require routine/ongoing assistance with the activities of daily living. An independent living facility must include areas for ~~full-service~~

~~communal~~ dining and group activities FOR THE RESIDENTS.~~ The project must include common open space for passive recreation, including walkways, benches, and shade structures.~~

Hospital

Shall mean a facility for the general and emergency treatment of human ailments with bed care. ~~and shall include sanitarium and clinic, but shall not include convalescent or nursing home.~~

DELETE the following EXISTING DEFINITIONS in Chapter 31

~~**Skilled Nursing Care Facility**~~

~~Shall mean a LONG TERM CARE health care facility which provides skilled nursing and supportive care (excluding substance abuse treatment) on a 24 hour a day basis to inpatients requiring such services for extended periods (see criteria/specific development standards in Section 25.1.W.).~~

~~**Rehabilitative Care Facility**~~

~~Shall mean a health care long term care facility that provides twenty four (24) hour personal care, rehabilitation, and supportive care services, including medical supervision, for inpatients. Skilled nursing care and ongoing therapeutic treatment (excluding treatment for substance abuse), as necessary, may be provided for patients only inhabiting the premises for a finite period (see criteria/specific development standards in Section 25.1.W.).~~

~~**Convalescent Home or Nursing Home**~~

~~Shall mean any place or institution which makes provisions for bed care or for chronic or convalescent care for one (1) or more persons exclusive of relatives who, by reason of illness or physical infirmity, are unable to properly care for themselves. Alcoholics, drug addicts, persons with mental diseases and persons with communicable diseases including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona as a convalescent and nursing home.~~

~~**Community Residence**~~

~~A dwelling unit shared as a primary residence by the disabled, or disabled elderly person, living together as a single housekeeping unit in which staff provides on-site care, training and support for the residents. Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, or a residence for a criminal offense, or a residence which provides drug and/or alcohol rehabilitation.~~

AMEND the following Section in Chapter 25:
Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Section 25.1.E ~~COMMUNITY RESIDENCES~~ ASSISTED LIVING HOME

~~Community Residences~~ ASSISTED LIVING HOMES shall be permitted provided that:

~~1. No residence is located on a lot with a property line within 1,000 feet, measured in a straight line in any direction, of the lot line of another such Community Residences ; and~~

1. NO ASSISTED LIVING HOME SHALL BE LOCATED CLOSER THAN 1,000 FEET TO ANOTHER ASSISTED LIVING HOME. THE MINIMUM 1,000 FOOT SEPARATION SHALL BE MAINTAINED BETWEEN PROPERTY LINES, MEASURED ON A STRAIGHT LINE.

2. Such ASSISTED LIVING HOME ~~residence~~ contains no more than ~~6~~ 10 residents AND AN APPROPRIATE NUMBER OF SUPPORT STAFF, ~~or 8 residents, including staff~~; and

~~3. Such residence is registered with, and is approved by, the Planning and Zoning Administrator as to compliance with the standards of this Section.~~

~~4. Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona.~~

<u>Add the following Additional Requirements in Chapter 25, Section 25.1 for Senior Care Facility</u>

X. SENIOR CARE FACILITY:

1. RECREATIONAL AREA: SENIOR CARE FACILITIES SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 26.5.B, SECTION 26.5C AND SECTION 26.5.D OF THE ZONING CODE.

a. THE TERM DWELLING UNIT SHALL INCLUDE BEDS, BEDROOMS AND LIVING UNITS FOR THE PURPOSES OF CALCULATING THE AMOUNT OF RECREATIONAL AREA.

b. THE RECREATIONAL AREA SHALL PROVIDE AMENITIES TO MEET THE RECREATIONAL NEEDS RESIDENTS AND GUESTS OF THE FACILITY. THE MINIMUM RECREATIONAL AREA MAY BE DIVIDED BETWEEN MULTIPLE AREAS THROUGHOUT THE DEVELOPMENT.

c. SENIOR CARE FACILITIES ARE EXEMPT FROM PRIVATE OUTDOOR LIVING SPACE REQUIREMENTS OF THE APPLICABLE ZONING DISTRICT.

d. RECREATIONAL AREA MAY COUNT TOWARD THE REQUIREMENT FOR OPEN SPACE IN SECTION 25.1.X.2.

2. OPEN SPACE: ALL SENIOR CARE FACILITIES SHALL PROVIDE A MINIMUM OF 30% OF THE NET SITE AREA AS OPEN SPACE, WHICH SHALL SUPERCEDE THE OPEN SPACE REQUIREMENT OF THE UNDERLYING ZONING DISTRICT.

a. A MINIMUM OF 50% OF THE OPEN SPACE REQUIRED BY THIS SECTION SHALL BE PROVIDED IN A CONTIGUOUS AREA OR AREAS WITH THE INTENDED PURPOSES OF CREATING A CAMPUS LIKE ENVIRONMENT AND PROVIDING FOR MEANINGFUL AND USEABLE OPEN SPACES FOR THE PASSIVE USE AND ENJOYMENT OF RESIDENTS OF THE FACILITY.

b. OPEN SPACE AREA(S) SHALL BE IMPROVED WITH WALKING PATHS AND OTHER PASSIVE AMENITIES.

c. APPROPRIATE AREAS DESIGNATED AS ENVIRONMENTALLY SENSITIVE OPEN SPACE (ESOS) THAT SERVE THE INTENDED PURPOSES MAY ALSO BE CREDITED TO THE OPEN SPACE CALCULATION.

3. RESIDENT ACCESS PLAN: ALL SENIOR CARE FACILITIES SHALL SUBMIT A RESIDENT ACCESS PLAN DELINATING THE LOCATION OF ALL RESIDENTIAL UNITS IN RELATIONSHIP TO PARKING AREAS, RECREATION AREAS, INDOOR AND OUTDOOR AMENITIES AND SUPPORT USES. THE TOWN COUNCIL MAY APPROVE THE RESIDENT ACCESS PLAN WHEN:

a. THE PLAN DEMONSTRATES A CONVENIENT AND PROXIMATE RELATIONSHIP BETWEEN ALL UNITS, SERVICES AND RECREATIONAL AREAS FOR THE POPULATION SERVED AND BUILDING AREAS HAVE BEEN CONCENTRATED TO THE GREATEST EXTENT PRACTICAL.

b. SEPARATED PEDESTRIAN ACCESSWAYS MUST BE PROVIDED TO ALL ROWS OF PARKING.

i. PEDESTRIAN ACCESSWAYS CROSSING DRIVE AISLES SHALL CONTAIN DIFFERENT SURFACING THAN PARKING AREAS TO DEFINE THE PEDESTRIAN CROSSING.

ii. THIS REQUIREMENT MAY BE REDUCED OR WAIVED BY TOWN COUNCIL WHEN THE APPLICANT CAN DEMONSTRATE THAT THE ACCESSWAYS ARE NOT NECESSARY TO SERVE THE EXPECTED NEEDS OF THE RESIDENTS.

4. ALL SENIOR CARE FACILITIES SHALL PROVIDE COVERED PARKING AREAS AND PROTECTED PASSENGER DROP-OFF AREAS AS REQUIRED BY SECTION 27.7.D. AND SECTION 27.7.G.4.e.

Additional minor amendments throughout the Zoning Code to change references to deleted or modified uses have been incorporated as follows: Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Section 23.7.E.6.b. Recreational Facilities

Wherever there is constructed a multiple dwelling which has twenty (20) or more dwelling units, there shall be provided on the lot site of said multiple dwellings a play area for children. Said play area shall be separated from any private access ways and public streets by a fence or wall. The tot lot requirement ~~may~~ SHALL be excluded from ~~a senior citizens development~~ SENIOR CARE FACILITIES.

Section 23.8.B. C-N Neighborhood Commercial District

1. Floor Area Limits

…

c. The aforementioned square footage limits do not apply to buildings used for residential, public, institutional, civic, office, ~~rehabilitative and skilled nursing care~~ AND SENIOR CARE purposes.

Section 27.7.D. Parking Lots – Required Number of Spaces for Type of Use

1. Residential Parking Requirements: Residential uses shall provide a minimum number of parking spaces as defined by the standards below. Any increase or decrease in parking shall be in accordance with subsection C.2 of this section.

…

e. Boarding Houses/Group Homes /Religious Quarters/~~Mature Adult Retirement Quarters/Rehabilitative/Skilled Nursing~~ SENIOR Care Facilities: One (1) per bedroom or bed plus one (1) for each four (4) bedrooms or beds for guest parking, plus two (2) for every three (3) employees. A MINIMUM OF FIFTY PERCENT (50%) OF THE REQUIRED PARKING FOR SENIOR CARE FACILITIES SHALL BE COVERED PARKING. THIS REQUIREMENT MAY BE REDUCED OR WAIVED BY TOWN COUNCIL WHEN THE APPLICANT CAN DEMONSTRATE THAT THE COVERED PARKING IS NOT NECESSARY TO SERVE THE EXPECTED NEEDS OF THE RESIDENTS.

Section 27.7.G.4.e. Passenger Drop-off Points

e. Passenger drop-off points: Drop off points, separated from street traffic lanes, ring roads, parking aisles, loading areas, access drives, or perimeter roads, and readily accessible without hazardous maneuvering, shall be provided in conjunction with the following uses: SENIOR CARE FACILITIES, hotels, motels, resorts, hospital and clinics, educational facilities, libraries, and day care centers with 50 or more students or children, religious facilities with 100 or more seats, transit terminals, park and ride lots, major recreational facilities, public buildings, financial services greater than 5000 square feet of gross floor area, shopping centers and other office commercial uses and restaurants. PASSENGER DROP-OFF POINTS FOR SENIOR CARE FACILITIES SHALL INCLUDE A SHADE STRUCTURE WITH BENCH SEATING.

Table 27-14 Allowed Parking Spaces

Health Facilities

…

~~b. Long Term Care Facilities. 33/bed, 1 per employee based on maximum shift~~

Design Standards Addendum "A", Section 2.1.P.1

P. ~~Senior Housing/Assisted Living~~ SENIOR CARE FACILITY Design

1. ~~Independent living, assisted living, and skilled nursing~~ SENIOR CARE Facilities~~, including continuum of care facilities,~~ shall provide the following features and amenities:

Section 27.10.D.3.f.vi.b).5.B).vii).(C).(5).(c)

(c) Hospitals/~~extended~~ SENIOR Care Facilities exceeding two (2) stories or thirty (30) feet in height.

Amend Table 23-1 as follows:

EXISTING

TABLE 23-1: Permitted Uses

SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
Community Residences	P	P	P	P	P				P	P									Section 25.1.E
Independent Living Facility									C		C	P	C						
Rehabilitative Care Facility											C	C	C						
Skilled Nursing Care Facility											C	C	C						

PROPOSED (AREAS OF CHANGE SHADED)

TABLE 23-1: Permitted Uses

SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
~~Community Residences~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~				~~P~~	~~P~~									
Assisted Living Home	P	P	P	P	P	P	P	P	P	P									Section 25.1.E
~~Independent Living Facility~~									~~C~~		~~C~~	~~P~~	~~C~~						Section 25.1.X
~~Rehabilitative Care Facility~~											~~C~~	~~C~~	~~C~~						
~~Skilled Nursing Care Facility~~											~~C~~	~~C~~	~~C~~						
Senior Care Facility									P	P	P	P	P						Section 25.1.X

Town Council Regular Session **Item # 1. B.**

Meeting Date: 11/18/2015
Requested by: Bayer Vella
Submitted By: Chad Daines, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)15-16, AMENDING VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) (27.7.E.6.B; 23.8B; 25.1.E; 27.7D; 27.7.G.4.e; ADDING 25.1X; 27.10.D.3; 2.1.P.1) RELATED TO SENIOR CARE USES INCLUDING AMENDMENTS TO DEFINITIONS, ALLOWABLE ZONING DISTRICTS AND DEVELOPMENT STANDARDS

RECOMMENDATION:

The Planning and Zoning Commission has recommended approval of the originally proposed amendment.

EXECUTIVE SUMMARY:

Town Council initiated this Zoning Code amendment last year to update and clarify definitions, locations and land use standards for senior care uses. Specifically, the amendment was intended to address the following zoning regulations related to senior care uses:

- Resolve differences between terms and definitions used in the Zoning Code and those used by the State
- Update the Zoning Code to reflect federal and state laws
- Determine which zoning districts are appropriate
- Establish appropriate land use standards as warranted

Town Council considered the amendment on January 7, 2015. At the conclusion of the public hearing, the amendment was continued to allow for a tour of senior care facilities. In September, several members of Town Council participated in a tour of Splendido to better understand operational and regulatory aspects related to senior care uses.

A key topic of discussion at the January 7th public hearing was requirements related to the interior of the building, including interior decor, furniture and level of service. Following the site tour, the Town Attorney's Office clarified that the Town is not granted the power by the state to adopt zoning or building regulations applicable to the interior decor, furniture, or levels of service within the interior of the building. As a result, the amendment addresses exterior aspects of senior care facilities only.

Based on discussion at the Town Council public hearing and the site tour, additional exterior development requirements have been incorporated including contiguous open space areas, covered parking and protected drop-off areas. The amendment also requires a plan which demonstrates a proximate relationship between residential units and support services, amenities and recreational areas. The amendment is provided as Exhibit A in the attached ordinance (Attachment 1).

The original amendment was considered and recommended for approval by the Planning and Zoning Commission on December 2, 2014. The Planning and Zoning Commission staff report and minutes are provided as attachments 2 and 3, respectively.

BACKGROUND OR DETAILED INFORMATION:

On January 7, 2015, Town Council considered the amendment, which the discussion focused on development standards such as recreational areas, covered parking and protected drop-off areas. Furthermore, Town Council expressed a desire to tour senior care facilities to better understand the operational aspects of these uses and how they are regulated by the State and International Building and Fire Codes.

On September 9, 2015, a Town Council site tour was provided at Splendido to learn more about senior care facilities, services and amenities. Professional staff from Splendido led the tour, while Town Code specialists from the planning and building divisions, Arizona Department of Health staff, town manager and fire marshal were all available to answer questions.

Another key topic of discussion at the January 7th hearing was interior decor and levels of service within senior care facilities. The Town Attorney's Office has clarified that the Town is not granted the power by the state to adopt zoning or building regulations applicable to the operations of senior care uses, including interior decor, furniture, or levels of service within the interior of the building. As a result, the attached ordinance addresses exterior aspects of senior care facilities only.

Based on discussion at the January 7th public hearing and the site tour, several additional exterior development standards have been included in the amendment as follows:

- Standardizes required open space for senior care facilities, regardless of zoning district
- Requires a portion of the open space be provided in a contiguous area or areas for passive use
- Requirement for a resident access plan to ensure proximate relationship between residential units and services
- Requirement for covered parking
- Requirement for shaded drop-off area with bench seating

The proposed amendment is provided in Attachment 1 and summarized below:

Definitions

The Town of Oro Valley Zoning Code currently defines various types of senior care uses, including independent living, skilled nursing and rehabilitative care. Over time, the terms and definitions used by the State have changed, but the Zoning Code has not been amended to remain current. The terms will continue to change in the future so staff focused on an approach which combines the broad licensing categories used by the state into a single definition of "Senior Care Facility," which will reduce the need for future amendments to reflect new terms.

Although from an internal operational standpoint, senior care uses are very different. From a land use standpoint, there is little external difference between the various levels of senior care. Therefore, a single definition of Senior Care Facility is proposed, which combines all levels of senior care for clarity and simplicity in regulation. The new definition of Senior Care Facility incorporates terms consistent with broad licensing terms used by the State, including Assisted Living Facility, Hospice In-Patient Facility and Nursing Care Institutions and Independent Living Facilities to reduce the need for future amendments when terms or definitions are changed by the State.

The term Community Residence has been amended to the updated term used by the State “Assisted Living Home.” These are small in-home senior care uses typically found in single family homes in residential neighborhoods.

The amendment also deletes outdated terms for senior care uses and updates references throughout the Zoning Code.

Zoning Districts

The proposal also involves an amendment to the Table of Permitted Uses as provided in the attached ordinance. In summary, Senior Care Facilities are proposed as a permitted use in R-4 (Townhouse), R-4R (Resort), R-S (Residential Service), R-6 (Multi-family) and C-N (Neighborhood Commercial) based on the similarity with multi-family residential uses, which are permitted in these zoning districts.

The amendment deletes the requirement for a Conditional Use Permit since these zones are intended for this character of development. For example, these zoning districts enable multi-story buildings with setbacks, open space, landscape buffers and design standards which are designed to reduce impacts to adjacent residential areas. Additionally, the General Plan contains policies which guide the location of these districts to areas less impacting to adjacent residential areas.

The table has been amended to allow Assisted Living Homes in all single-family residential zones, consistent with state and federal law.

Development Standards

In initiating the amendment, Town Council directed staff to evaluate and recommend additional development standards, if any, which are appropriate for senior care uses.

Senior care uses are currently permitted in zoning districts where multi-family development is allowed. The amendment will continue to allow senior care uses in those same districts based on external similarity with multi-family development. As such, senior care uses will be similarly regulated as apartments or town homes in terms of landscaping, building heights, setbacks and design standards, which have proven effective in creating compatibility with adjoining single-family areas.

Based on the site tour and discussion at the January 7th public hearing, new development standards have been developed using Splendido as a model. The original and new standards are summarized as follows:

Recreational Area:

In researching best practices, studies support enhanced external recreational amenities for senior care uses. The Town currently has a recreational area requirement for single-family developments and requires 1 acre of recreational area for every 85 units, which was used as a basis for senior care uses. The amendment requires active and passive amenities within these areas and allows for credits to be received for indoor amenities. The amendment includes language to ensure that amenities can and will be customized to each particular senior care use.

Open Space:

Open space in senior care developments is typically provided in small fragmented areas within parking areas, along street frontages and within drainage facilities. As a result, site development is typically comprised of building areas and parking lots, without larger contiguous open space areas. Open space areas are significant and important to the overall well being of senior care residents as these areas provide passive areas for activities such as walking or simple enjoyment of the outdoor environment.

Open space standards vary within the zoning districts which allow senior care facilities from 10% to 35%. The amendment standardizes the open space requirement to 30% for all senior care facilities, which will supercede the open space requirement of the underlying district. To address the issue of fragmented open space, a new standard has been included requiring 50% of the open space be provided in a

meaningful contiguous open space area or areas and improved with walking paths or other passive amenities.

The goal of these new open space standards is to concentrate a portion of the required open space and create a campus like environment for the use and enjoyment of residents. The amendment allows recreational areas and areas designated as environmentally sensitive open space that serve the intended purpose to be credited to this calculation.

Resident Access Plan

At the January 7th public hearing, the need to ensure proximate access for residents to services, amenities and recreational areas within the development was discussed. The attached ordinance includes a new requirement for a resident access plan which will be considered by Town Council in conjunction with a senior care application, with the goal of ensuring a convenient and proximate relationship between all units and parking areas, amenities, support services and recreational areas. This section of the amendment requires separated pedestrian walkways to serve all parking areas, which may be reduced or waived by Town Council when it can be demonstrated that the separated walkways are not necessary to serve the expected needs of the residents. For example, separated walkways to all parking areas may not be warranted for a memory care facility where residents do not drive.

Covered Parking

Based on discussion at the January 7th public hearing and the site tour, a requirement for covered parking has been included in the attached Ordinance. The amendment requires 50% of the required parking to be covered, which may be reduced or waived by Town Council when it can be demonstrated that the covered parking is not necessary to serve the expected needs of the residents. This flexibility is needed as senior care residents in different types of senior care facilities have different needs. For example, covered parking may not be warranted for a memory care facility where residents do not drive.

Passenger Drop-off Points

The attached ordinance includes a requirement for senior care facilities to provide a shaded passenger drop-off point with bench seating to provide a protected area for residents.

<u>Public Participation</u>

Public notice has been provided as follows:

- All HOA's in the Town were provided public notice
- In the Territorial newspaper
- At Town Hall
- On the Town website
- List of industry and interested persons maintained as part of this amendment

Previous comments received on the original amendment are included as Attachment 4 and summarized as follows:

- Industry representatives commented on reducing the amount of recreational area for assisted living and nursing care facilities.
- One resident focused on providing more recreational area and not permitting credits for indoor amenities.
- One resident commented on operational and interior building aspects of these facilities, which are beyond the powers of the Town as clarified by the Town Attorney's Office. Operational and building aspects are comprehensively regulated by the State, and by the Town and Fire Marshall through the International Building and Fire Codes.

Planning and Zoning Commission Review / Action

The request was considered by the Planning and Zoning Commission on December 2, 2014. Comments at the hearing focused on clarification that the amendment would not restrict a hospital from offering senior care services. The proposed language has been modified to provide that clarification. At the conclusion of the hearing, the Planning and Zoning Commission voted to recommend approval of the originally proposed amendment.

As information, the Commission recommendation did not include the requirements for contiguous open space(s), resident access plan, covered parking and passenger drop-off areas as these new standards were added following the Town Council public hearing and site tour.

General Plan Compliance

The Zoning Code amendment was reviewed for conformance with the Vision, Goals and Policies of the General Plan. The amendment is supported by a number of General Plan policies, as provided in the Planning and Zoning Commission staff report (Attachment 2).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Ordinance No. (O)15-16, providing for amendments to the Zoning Code to modernize definitions, modify zoning districts and improve development standards.

OR

I MOVE to deny Ordinance No. (O)15-16, providing for amendments to the Zoning Code, based on the finding that _____.

Attachments

(O)15-16 Senior Care

Attachment 2 - Planning and Zoning Commission Staff Report

Attachment 3 - Planning and Zoning Commission Minutes

Attachment 4 Resident and Industry Comments

ORDINANCE NO. (O)15-16

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 23 ZONING DISTRICTS; SECTIONS 23.7.E.6.b RECREATIONAL FACILITIES, AND 23.8.B C-N NEIGHBORHOOD COMMERICAL DISTRICT; CHAPTER 25, USE REGULATIONS, SECTION 25.1.E COMMUNITY RESIDENCES; CHAPTER 27, GENERAL DEVELOPMENT STANDARDS, SECTIONS 27.7.D PARKING LOTS – REQUIRED NUMBER OF SPACES FOR TYPE OF USE, AND; TABLE 27-14 ALLOWED PARKING SPACES; SECTION 27.7.G.4.e. PASSENGER DROP-OFF POINTS; CHAPTER 31 DEFINITIONS; AND ADDING 25.1.X SENIOR CARE FACILITY; SECTION 27.10.D.3; DESIGN STANDARDS ADDENDUM A, SECTION 2.1.P.1 OF THE ORO VALLEY ZONING CODE REVISED REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

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

WHEREAS, it is necessary to amend Chapter 23 Zoning Districts; Sections 23.7.E.6.b Recreational Facilities, and 23.8.B C-N Neighborhood Commercial District; Chapter 25, use regulations, Section 25.1.E Community Residences; Chapter 27, General Development Standards, Sections 27.7.D Parking Lots – Required Number of Spaces for Type of Use, and; Table 27-14 Allowed Parking Spaces; Section 27.7.G.4.e. Passenger Drop-off Points; Chapter 31 Definitions and add Section 25.1.X, Senior Care Facility; Section 27.10.D.3; and Design Standards Addendum A, Section 2.1.P.1, to update regulations relative to senior care uses including definitions, allowable zoning districts and applicable development standards; and

WHEREAS, the proposed amendments will resolve differences between terms and definitions, update the Zoning Code to reflect federal and state law which provides for small in-home senior care, determine which zoning districts are appropriate, and evaluate appropriate special land use standards; and

WHEREAS, the Planning and Zoning Commission held a meeting on December 2, 2014, and voted to recommend conditional approval of amending Chapter 23 Zoning Districts; Sections 23.7.E.6.b Recreational Facilities, and 23.8.B C-N Neighborhood Commercial District; Chapter 25, use regulations, Section 25.1.E Community Residences; Chapter 27, General Development Standards, Sections 27.7.D Parking Lots – Required Number of Spaces for Type of Use, and; Table 27-14 Allowed Parking Spaces; Chapter 31 Definitions and add Section 25.1.X, Senior Care Facility; Section 27.10.D.3; and Design Standards Addendum A, Section 2.1.P.1, and

WHEREAS, the Mayor and Council have considered the proposed amendments and the Planning and Zoning Commission's recommendation and finds that they are consistent with the Town's General Plan and other Town ordinances and are in the best interest of the Town.

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

SECTION 1. that certain document entitled Chapter 23 Zoning Districts; Sections 23.7.E.6.b Recreational Facilities, and 23.8.B C-N Neighborhood Commercial District; Chapter 25, use regulations, Section 25.1.E Community Residences; Chapter 27, General Development Standards, Sections 27.7.D Parking Lots – Required Number of Spaces for Type of Use, and; Table 27-14 Allowed Parking Spaces; Section 27.7.G.4.e. Passenger Drop-off Points; Chapter 31 Definitions and add Section 25.1.X, Senior Care Facility; Section 27.10.D.3; and Design Standards Addendum A, Section 2.1.P.1 of the Oro Valley Zoning Code Revised, attached hereto as Exhibit "A" and incorporated herein by this reference and declared a public record on January 7, 2015, is hereby adopted

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

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment 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 November, 2015.

TOWN OF ORO VALLEY

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:

_____

Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____

Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT "A"

ADD The following NEW Definitions to Chapter 31

SENIOR CARE FACILITY

SHALL MEAN A HEALTH CARE FACILITY PROVIDING SINGLE OR MULTIPLE TYPES OF SENIOR CARE, INCLUDING INDEPENDENT LIVING FACILITIES OR FACILITIES DEFINED AND LICENSED BY THE STATE OF ARIZONA AS AN ASSISTED LIVING FACILITY, HOSPICE IN-PATIENT FACILITY, NURSING CARE INSTITUTION OR SIMILARILY LICENSED FACILITIES.

ASSISTED LIVING HOME

SHALL MEAN A DWELLING UNIT USED AS A PRIMARY RESIDENCE FOR TEN (10) OR FEWER RESIDENTS WHO RECEIVE SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICES OR DIRECTED CARE SERVICES ON A CONTINUAL BASIS.

AMEND the following existing definitions in Chapter 31
Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Independent Living Facility

Shall mean A SENIOR CARE FACILITY WHICH PROVIDES RESIDENT BEDS OR RESIDENTIAL LIVING UNITS FOR ~~one (1) or more residential buildings containing multiple dwelling units, each of which has sleeping quarters, a full kitchen and bath, and/or sleeping units. Independent living facilities are intended for, and shall be limited to,~~ occupancy by adults who are able to live independently and do not require routine/ongoing assistance with the activities of daily living. An independent living facility must include areas for ~~full-service communal~~ dining and group activities FOR THE RESIDENTS. ~~The project must include common open space for passive recreation, including walkways, benches, and shade structures.~~

Hospital

Shall mean a facility for the general and emergency treatment of human ailments with bed care. ~~and shall include sanitarium and clinic, but shall not include convalescent or nursing home.~~

DELETE the following EXISTING DEFINITIONS in Chapter 31

~~**Skilled Nursing Care Facility**~~

~~Shall mean a LONG TERM CARE health care facility which provides skilled nursing and supportive care (excluding substance abuse treatment) on a 24 hour a day basis to inpatients requiring such services for extended periods (see criteria/specific development standards in Section 25.1.W.).~~

~~**Rehabilitative Care Facility**~~

~~Shall mean a health care long term care facility that provides twenty four (24) hour personal care, rehabilitation, and supportive care services, including medical supervision, for inpatients. Skilled nursing care and ongoing therapeutic treatment (excluding treatment for substance abuse), as necessary, may be provided for patients only inhabiting the premises for a finite period (see criteria/specific development standards in Section 25.1.W.).~~

~~**Convalescent Home or Nursing Home**~~

~~Shall mean any place or institution which makes provisions for bed care or for chronic or convalescent care for one (1) or more persons exclusive of relatives who, by reason of illness or physical infirmity, are unable to properly care for themselves. Alcoholics, drug addicts, persons with mental diseases and persons with communicable diseases~~

~~including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona as a convalescent and nursing home.~~

~~**Community Residence**~~

~~A dwelling unit shared as a primary residence by the disabled, or disabled elderly person, living together as a single housekeeping unit in which staff provides on-site care, training and support for the residents. Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, or a residence for a criminal offense, or a residence which provides drug and/or alcohol rehabilitation.~~

AMEND the following Section in Chapter 25:
Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Section 25.1.E ~~COMMUNITY RESIDENCES~~ ASSISTED LIVING HOME

~~Community Residences~~ ASSISTED LIVING HOMES shall be permitted provided that:

~~1. No residence is located on a lot with a property line within 1,000 feet, measured in a straight line in any direction, of the lot line of another such Community Residences ; and~~

1. NO ASSISTED LIVING HOME SHALL BE LOCATED CLOSER THAN 1,000 FEET TO ANOTHER ASSISTED LIVING HOME. THE MINIMUM 1,000 FOOT SEPARATION SHALL BE MAINTAINED BETWEEN PROPERTY LINES, MEASURED ON A STRAIGHT LINE.

2. Such ASSISTED LIVING HOME ~~residence~~ contains no more than ~~6~~ 10 residents AND AN APPROPRIATE NUMBER OF SUPPORT STAFF, ~~or 8 residents, including staff~~; and

~~3. Such residence is registered with, and is approved by, the Planning and Zoning Administrator as to compliance with the standards of this Section.~~

~~4. Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona.~~

Add the following Additional Requirements in Chapter 25, Section 25.1 for Senior Care Facility

X. SENIOR CARE FACILITY:

1. RECREATIONAL AREA: SENIOR CARE FACILITIES SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 26.5.B, SECTION 26.5C AND SECTION 26.5.D OF THE ZONING CODE.

   a. THE TERM DWELLING UNIT SHALL INCLUDE BEDS, BEDROOMS AND LIVING UNITS FOR THE PURPOSES OF CALCULATING THE AMOUNT OF RECREATIONAL AREA.

   b. THE RECREATIONAL AREA SHALL PROVIDE AMENITIES TO MEET THE RECREATIONAL NEEDS RESIDENTS AND GUESTS OF THE FACILITY. THE MINIMUM RECREATIONAL AREA MAY BE DIVIDED BETWEEN MULTIPLE AREAS THROUGHOUT THE DEVELOPMENT.

c. SENIOR CARE FACILITIES ARE EXEMPT FROM PRIVATE OUTDOOR LIVING SPACE REQUIREMENTS OF THE APPLICABLE ZONING DISTRICT.

d. RECREATIONAL AREA MAY COUNT TOWARD THE REQUIREMENT FOR OPEN SPACE IN SECTION 25.1.X.2.

2. OPEN SPACE: ALL SENIOR CARE FACILITIES SHALL PROVIDE A MINIMUM OF 30% OF THE NET SITE AREA AS OPEN SPACE, WHICH SHALL SUPERCEDE THE OPEN SPACE REQUIREMENT OF THE UNDERLYING ZONING DISTRICT.

   a. A MINIMUM OF 50% OF THE OPEN SPACE REQUIRED BY THIS SECTION SHALL BE PROVIDED IN A CONTIGUOUS AREA OR AREAS WITH THE INTENDED PURPOSES OF CREATING A CAMPUS LIKE ENVIRONMENT AND PROVIDING FOR MEANINGFUL AND USEABLE OPEN SPACES FOR THE PASSIVE USE AND ENJOYMENT OF RESIDENTS OF THE FACILITY.

   b. OPEN SPACE AREA(S) SHALL BE IMPROVED WITH WALKING PATHS AND OTHER PASSIVE AMENITIES.

   c. APPROPRIATE AREAS DESIGNATED AS ENVIRONMENTALLY SENSITIVE OPEN SPACE (ESOS) THAT SERVE THE INTENDED PURPOSES MAY ALSO BE CREDITED TO THE OPEN SPACE CALCULATION.

3. RESIDENT ACCESS PLAN: ALL SENIOR CARE FACILITIES SHALL SUBMIT A RESIDENT ACCESS PLAN DELINATING THE LOCATION OF ALL RESIDENTIAL UNITS IN RELATIONSHIP TO PARKING AREAS, RECREATION AREAS, INDOOR AND OUTDOOR AMENITIES AND

SUPPORT USES. THE TOWN COUNCIL MAY APPROVE THE RESIDENT ACCESS PLAN WHEN:

a. THE PLAN DEMONSTRATES A CONVENIENT AND PROXIMATE RELATIONSHIP BETWEEN ALL UNITS, SERVICES AND RECREATIONAL AREAS FOR THE POPULATION SERVED AND BUILDING AREAS HAVE BEEN CONCENTRATED TO THE GREATEST EXTENT PRACTICAL.

b. SEPARATED PEDESTRIAN ACCESSWAYS MUST BE PROVIDED TO ALL ROWS OF PARKING.

i. PEDESTRIAN ACCESSWAYS CROSSING DRIVE AISLES SHALL CONTAIN DIFFERENT SURFACING THAN PARKING AREAS TO DEFINE THE PEDESTRIAN CROSSING.

ii. THIS REQUIREMENT MAY BE REDUCED OR WAIVED BY TOWN COUNCIL WHEN THE APPLICANT CAN DEMONSTRATE THAT THE ACCESSWAYS ARE NOT NECESSARY TO SERVE THE EXPECTED NEEDS OF THE RESIDENTS.

4. ALL SENIOR CARE FACILITIES SHALL PROVIDE COVERED PARKING AREAS AND PROTECTED PASSENGER DROP-OFF AREAS AS REQUIRED BY SECTION 27.7.D. AND SECTION 27.7.G.4.e.

Additional minor amendments throughout the Zoning Code to change references to deleted or modified uses have been incorporated as follows:
Additions shown in ALL CAPS, Deletions shown in ~~strikethrough~~

Section 23.7.E.6.b. Recreational Facilities

Wherever there is constructed a multiple dwelling which has twenty (20) or more dwelling units, there shall be provided on the lot site of said multiple dwellings a play area for children. Said play area shall be separated from any private access ways and public streets by a fence or wall. The tot lot requirement ~~may~~ SHALL be excluded from ~~a senior citizens development~~ SENIOR CARE FACILITIES.

Section 23.8.B. C-N Neighborhood Commercial District

1. Floor Area Limits

…

c. The aforementioned square footage limits do not apply to buildings used for residential, public, institutional, civic, office, ~~rehabilitative and skilled nursing care~~ AND SENIOR CARE purposes.

Section 27.7.D. Parking Lots – Required Number of Spaces for Type of Use

1. Residential Parking Requirements: Residential uses shall provide a minimum number of parking spaces as defined by the standards below. Any increase or decrease in parking shall be in accordance with subsection C.2 of this section.

…

e. Boarding Houses/Group Homes /Religious Quarters/~~Mature Adult Retirement Quarters/Rehabilitative/Skilled Nursing~~ SENIOR Care Facilities: One (1) per bedroom or bed plus one (1) for each four (4) bedrooms or beds for guest parking, plus two (2) for every three (3) employees. A MINIMUM OF FIFTY PERCENT (50%) OF THE REQUIRED PARKING FOR SENIOR CARE FACILITIES SHALL BE COVERED PARKING. THIS REQUIREMENT MAY BE REDUCED OR WAIVED BY TOWN COUNCIL WHEN THE APPLICANT CAN DEMONSTRATE THAT THE

COVERED PARKING IS NOT NECESSARY TO SERVE THE EXPECTED NEEDS OF THE RESIDENTS.

Section 27.7.G.4.e. Passenger Drop-off Points

e. Passenger drop-off points: Drop off points, separated from street traffic lanes, ring roads, parking aisles, loading areas, access drives, or perimeter roads, and readily accessible without hazardous maneuvering, shall be provided in conjunction with the following uses: SENIOR CARE FACILITIES, hotels, motels, resorts, hospital and clinics, educational facilities, libraries, and day care centers with 50 or more students or children, religious facilities with 100 or more seats, transit terminals, park and ride lots, major recreational facilities, public buildings, financial services greater than 5000 square feet of gross floor area, shopping centers and other office commercial uses and restaurants. PASSENGER DROP-OFF POINTS FOR SENIOR CARE FACILITIES SHALL INCLUDE A SHADE STRUCTURE WITH BENCH SEATING.

Table 27-14 Allowed Parking Spaces

Health Facilities

…

~~b. Long Term Care Facilities. 33/bed, 1 per employee based on maximum shift~~

Design Standards Addendum "A", Section 2.1.P.1

P. ~~Senior Housing/Assisted Living~~ SENIOR CARE FACILITY Design

1. ~~Independent living, assisted living, and skilled nursing~~ SENIOR CARE Facilities~~, including continuum of care facilities,~~ shall provide the following features and amenities:

Section 27.10.D.3.f.vi.b).5.B).vii).(C).(5).(c)

(c) Hospitals/~~extended~~ SENIOR Care Facilities exceeding two (2) stories or thirty (30) feet in height.

Amend Table 23-1 as follows:

EXISTING

TABLE 23-1: Permitted Uses

SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
Community Residences	P	P	P	P	P				P	P									Section 25.1.E
Independent Living Facility									C		C	P	C						
Rehabilitative Care Facility											C	C	C						
Skilled Nursing Care Facility											C	C	C						

PROPOSED **(AREAS OF CHANGE SHADED)**

TABLE 23-1: Permitted Uses

SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
~~Community Residences~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~				~~P~~	~~P~~									
Assisted Living Home	P	P	P	P	P	P	P	P	P	P									Section 25.1.E
~~Independent Living Facility~~									~~C~~		~~C~~	~~P~~	~~C~~						Section 25.1.X
~~Rehabilitative Care Facility~~											~~C~~	~~C~~	~~C~~						
~~Skilled Nursing Care Facility~~											~~C~~	~~C~~	~~C~~						
Senior Care Facility									P	P	P	P	P						Section 25.1.X

Zoning Code Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER: OV714-009

MEETING DATE: December 2, 2014

AGENDA ITEM: 2

STAFF CONTACT: Chad Daines, AICP, Principal Planner
cdaines@orovalleyaz.gov (520) 229-4896

Request: Zoning Code amendment to update regulations relative to senior care uses including definitions, allowable zoning districts and applicable development standards.

Recommendation: Recommend approval as provided on Attachments 1 and 2.

SUMMARY:

Town Council initiated this Zoning Code amendment last year to update and clarify definitions, locations and land use standards for senior care uses. Specifically, the amendment was intended to address the following zoning regulations related to senior care uses:

- Resolve differences between terms and definitions used in the Town of Oro Valley and those used by the State.
- Update the Zoning Code to reflect federal and state law which provides for small in-home senior care uses within all residential neighborhoods.
- Determine which zoning districts are appropriate.
- Evaluate appropriate special land use standards as warranted

In summary, the proposed amendment (Attachments 1 and 2) provides for an update to senior care requirements as follows:

- Establishes a single definition for “Senior Care Facility” which encompasses all levels of care.
- Deletes outdated terms and definitions for senior care uses and adds/amends definitions for consistency with State licensing terms and definitions.
- Updates the Table of Permitted Uses to provide for senior care uses in appropriate commercial and residential zoning districts.
- Establishes a requirement for senior care uses to provide recreational area(s) with amenities to serve residents of the facility.

BACKGROUND:

The Town of Oro Valley Zoning Code currently allows various types of senior care uses including independent living, skilled nursing and rehabilitative care. Over time, the terms and definitions used by the State in licensing senior care uses have changed, but the Zoning Code has not been amended to remain current. As a result, the Zoning Code does not address all potential senior care uses and contains outdated terms and definitions no longer used by the State. This has resulted in the need for administrative decisions to resolve areas where the Zoning Code is in conflict with State licensing terms. The amendment resolves such differences in terms and definitions, updates zoning district allowances and includes recreational area standards for senior care uses.

Research of other towns and cities reveals that many local governments still contain outdated references to senior care uses. Additionally, there is a wide range in allowable zoning districts, open space, parking and whether conditional use permits are required. Finally, development standards for senior care uses vary significant between jurisdictions. Attachment 3 provides a summary of other jurisdictions regulations in regard to senior care uses.

DISCUSSION/ANALYSIS:

This section of the report is divided into the main areas of the amendment; Definitions, Zoning Districts and Development Standards.

<u>Definitions</u>

From a land use standpoint, there is little external difference between the various levels of senior care in terms of site function, design, parking, landscaping and impact of adjoining areas. Additionally, trends in senior care utilize a model wherein multiple levels of care are provided within a single development and a resident advances to a higher level of care based on their changing needs. Based on these factors, the main elements of the amendment can be summarized as follows:

- A single definition of “Senior Care Facility” combining all levels of senior care is recommended for clarity and simplicity in regulation.

- The new definition encompasses facilities providing for single or multiple levels of care within a single development and is intended to accommodate small to moderate sized facilities.

- Larger senior care developments (e.g. Splendito) typically utilize a Planned Area Development zoning to establish tailored development standards to accommodate the unique scale and size of the facility.

- The new definition “Senior Care” incorporates terms consistent with State licensing regulations, including Assisted Living Facility, Hospice In-Patient Facility and Nursing Care Institutions.

- The definition also incorporates independent living facilities, which are not licensed by the State. The definition of Independent Living Facility has been amended for consistency with the balance of the amendment.

- The existing definitions for Skilled Nursing, Rehabilitative Care and Convalescent Home or Nursing Home have been deleted as these uses are all encompassed within the updated term "Nursing Care Institution".

- The term Community Residence has been amended to the updated term used by the State "Assisted Living Home". These are small in home senior care uses typically found in single family homes in residential neighborhoods.

Zoning Districts

The proposal also involves amendment to the Table of Permitted Uses as provided on Attachment 2 and summarized as follows:

- The table has been updated to reflect the new definition combining all senior care uses into a single use category.
- The table has been amended to delete outdated use category terms.
- "Senior Care Facility" is listed as a permitted use in R-4 (Townhouse), R-4R (Resort), R-S (Residential Service), R-6 (Multi-family) and C-N (Neighborhood Commercial) based on the similarity with multi-family residential, which is permitted in these zoning districts. The existing code allows senior care uses in these districts as illustrated on Attachment 2. The design standards (e.g. setbacks, building heights, open space) will apply to senior care uses and create compatibility with adjoining single-family areas.
- The amendment deletes the requirement for a Conditional Use Permit as these zones are intended for this character of development.
- Senior Care Uses are not permitted in higher intensity commercial or technology park zones to preserve these areas for retail, service and technology park uses.
- The table has been amended to allow Assisted Living Homes in all single-family residential zones, consistent with State and Federal law.

Development Standards

As stated previously, senior care uses are externally analogous to multi-family development. Senior care uses are currently permitted in zoning districts where multi-family development is allowed and the amendment will continue to allow senior care uses in those same districts based on external similarity between these uses. As such, senior care uses will continue to be comprehensively regulated in terms of open space, landscaping, building heights, setbacks and design standards which have proven effective in creating compatibility with adjoining single family areas.

In initiating the amendment, Town Council directed staff to evaluate and recommend additional development standards, if any, which are appropriate for senior care uses. Staff conducted significant research to identify best zoning practices related to the external environment for senior care uses. Most of the best practice literature for senior

care uses relates to the internal environment for these uses. Some anecdotal research supports enhanced external recreational amenities for senior care uses, which became the focus of this portion of the amendment.

The Town currently has a recreational area requirement for single-family developments which was used as a basis for the recreational area requirement for senior care uses. The existing Recreational Area code is provided as Attachment 4 and summarized as follows:

- A recreational area is required equal to a ratio of 1 acre of recreational area for every 85 units. The amendment clarifies that a unit includes bed, bedrooms and other senior care living units.
- Passive and active amenities are required based on the size of the recreational area.
- The requirements are proportional to the size of the facility, leading to equity.
- Flexibility exists within the existing code to require amenities to be tailored for appropriateness to the anticipated needs of the development. This flexibility will enable senior care use to propose amenities that support senior living in relation to their specific development.
- A recreational area plan is required as part of the site plan to confirm the required area and amenities.
- Although the existing standards were originally drafted for single-family residential development, the standards are also appropriate for senior care uses given the flexibility of tailored amenities and credits for indoor or enhanced recreational facilities such as swimming pools, theaters or gymnasiums.
- Recreational areas, once improved, can count toward the open space requirements of the zoning code. For reference, the open space requirements for the applicable zoning districts is provided as Attachment 5.

Minor references: A number of amendments to update terms and references throughout the Zoning Code are included on Attachment 1. The Parking Code contains two conflicting parking standards for senior care uses. The more comprehensive parking standard has been retained and the other deleted.

GENERAL PLAN COMPLIANCE

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

Goal 1.3 *To promote a compatible mix or land uses throughout the Oro Valley Planning Area.*

Staff Comment: The amendment addresses this goal through the inclusion of the range of senior care uses in appropriate locations.

Policy 1.4.7 *The Town shall ensure that increased densities approved for high density residential projects are based on reducing the negative impacts on adjacent*

lower density residential projects and providing additional landscaping, open space and amenities.

Staff Comment: Although this policy is written directly for high density uses, such as apartments, senior care uses have some analogous characteristics with multi-family development. As the amendment provides for these uses in zoning districts which allow townhouse/multi-family development, the site will be subject to many standards currently used to mitigate impacts on adjoining residential areas. Additionally, the requirement for recreational area and amenities to support senior care uses will reduce impact on adjoining areas, consistent with this General Plan policy.

Policy 7.1.3 The Town shall continue to require apartment and condominium developments to incorporate recreational facilities and other amenities to serve residents…

Staff Comment: Senior care uses have some analogous qualities with multi-family development. As such, the requirement for recreational area and amenities to support senior care uses is consistent with this General Plan policy.

PUBLIC PARTICIPATION:

Public notice has been provided as follows:

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

In addition to the above public notice, the amendment was distributed to industry representatives, senior care developers and interested residents. Comments received on the amendment are included as Attachment 6 and summarized in italics followed by staff comment, as follows:

- *Some industry representatives expressed concern with the amount of recreational area required, particularly with regard to assisted living and nursing care institutions. These comments were based on an opinion that residents within assisted living and nursing care institutions have less mobility and do not need as much recreational area as independent living facilities. It was requested that the recreational area for assisted living and nursing care institutions be reduced (see Attachment 6 and Attachment 7 LRS Architects Suggested Revisions).*

  Staff Comment: The residents of these facilities have an equal need for recreational space and therefore the reduction is not supported by staff. The amendment includes flexibility allowing amenities to be tailored for a specific facility's needs. Additionally, the proposed amendment allows for credits at a 3:1 area ratio for indoor recreational areas.

- Favorable comments have been received from some industry representatives.

- *A number of comments were received from one resident relative to internal building and safety concerns.*

  Staff Comment: Internal building design and safety issues are outside the scope of zoning. With regard to building and fire codes, most of these uses are classified as Institutional occupancies which are highly regulated by the Town and Fire Marshall. The International Building Code and International Fire Code address primary life-safety issues such as tripping/falling hazards, ingress/egress, accessibility, emergency systems such as lighting, and fire protection (fire sprinklers) and warning systems. Building and fire codes establish minimum requirements, which are exceeded in many cases. Based on the extensive and comprehensive regulation of these uses by the International Building and Fire Codes, additional internal building code regulations are not recommended.

- *A number of comments were received from one resident relative to concerns with operational aspects of these uses.*

  Staff Comment: Operational aspects related to senior care uses are outside the scope of zoning. The State Department of Health Services has extensive rules and regulations which comprehensively address all operational aspects of senior care uses including: service plans, medication services, behavioral health, environmental standards, staffing, training, resident rights, transport, medical records, nutrition, emergency and safety and physical plant requirements. Based on the extensive and comprehensive regulation of these uses by the State Department of Health, additional operational regulations are not recommended.

- A number of zoning related standards were suggested by one resident as follows:

  - *Requirement for a minimum property size of 20 acres to accommodate open space and serve the recreational needs of the facility.*

    Staff Comment: This suggestion could be excessive for smaller facilities and is not supported by staff. The recreational area required by the Code proportionally increases as the facility size increases and in staff view provides an adequate amount of recreational area to serve residents based on the proportional size of the facility.

  - *Allow senior care uses in C-1 and C-2 zoning districts.*

    Staff Comment: The purpose statements for C-1 and C-2 indicate that these areas are intended for office and retail uses. C-2 indicates an emphasis on shopping centers and group commercial developments. As such, these districts should be retained for these purposes.

- *Do not permit senior care immediately adjacent to single-family residential subdivisions.*

  Staff Comment: Senior care uses are similar in character to a multi-family residential development, which in many cases is an appropriate transitional land use adjacent to single-family residential areas.

- *Do not permit small in home care of seniors.*

  Staff Comment: State and federal law require the Town treat assisted living homes equivalent to single-family residences.

- *Require parking spaces in senior care developments be covered.*

  Staff Comment: This would create a separate unique standard for senior care different than other permitted uses. If the Town were to pursue such a standard, staff would recommend this issue be approached comprehensively for all uses as part of a future amendment.

- *If swimming pools are provided, they should be located indoors only based on safety and climate concerns.*

  Staff Comment: This standard is not supported by staff as it precludes outdoor swimming pools that can be appropriately designed to address safety and climate concerns.

RECOMMENDATION:

Based on the following findings:

- The proposed amendment will resolve differences in terms and definitions between the Town Zoning Code and State Law
- The proposed amendment updates the Zoning Code and eliminates outdated terminology and definitions.
- The proposed amendment provides for recreational amenities to serve the needs of the residents within senior care facilities
- The proposal is consistent with the relevant Goals and Policies of the General Plan.

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

Recommend approval to the Town Council of the requested Zoning Code Amendment OV714-009 as provided on Attachments 1 and 2.

SUGGESTED MOTIONS:

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

I move to recommend approval of the Zoning Code Amendment in Attachments 1 and 2 related to senior care uses, based on the findings in the staff report.

OR

I move to recommend denial of the Zoning Code Amendment in Attachments 1 and 2 related to senior care uses, as the request does not meet the finding that
_____.

ATTACHMENTS:

1. Proposed Amendment – Definitions and Standards
2. Proposed Amendment – Table 23.1 Permitted Uses
3. Other Jurisdiction Research
4. Existing Recreational Area Code
5. Open Space Comparison
6. Industry and Resident Comments
7. LRS Architects Suggested Revisions

_____
Bayer Vella, Interim Planning Manager

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR/STUDY SESSION
December 2, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Cox called the December 2, 2014 session of the Oro Valley Planning and Zoning Commission Special Session to order at 6:00 PM.

ROLL CALL

PRESENT:

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

ALSO PRESENT:

Joe Hornat, Council Member
Council Liaison Lou Waters, Vice - Mayor
Bayer Vella, Interim Planning Manager
Joe Andrews, Chief Civil Deputy Attorney
David Laws, Permit Division Manager
Chuck King, Inspection Division Manager

PLEDGE OF ALLEGIANCE

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

CALL TO AUDIENCE

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat expressed a thanks to Chairman Cox and Vice-Chair Buette's for time served on the Planning and Zoning Commission.

REGULAR AGENDA

1. PUBLIC HEARING: PROPOSED REZONING OF AN APPROXIMATELY 149-ACRE PROPERTY (KNOWN AS KAI-NORTH) FROM R1-144 (LARGE LOT RESIDENTIAL) TO C-1 (COMMERCIAL) AND R1-7 (MEDIUM DENSITY RESIDENTIAL) WITH LOTS RANGING FROM 5,520 SQUARE FOOT LOTS TO 7,200 SQUARE FOOT LOTS, LOCATED AT THE SOUTHEAST CORNER OF TANGERINE ROAD AND FIRST AVENUE, OV914-002

Michael Speath, Senior Planner, presented the following:

- Request
- Location Map
- Tentative Development Plan
- Review Criteria
- General Plan Goals & Policies
- Special Area Policies
- Zoning Map
- Environmentally Sensitive Lands
- Conservation Subdivision Design
- ESL Flexible Design Options
- Public Participation
- Neighborhood Meetings Concerns
- Summary/Recommendation

6:15 PM Commissioner Drazowski arrived

Paul Oland, WLB Group, representing the applicant, presented the following:

- Proposed Neighborhood
- Future Commercial per General Plan
- Tentative Development Plan
- Viewshed Key Map
- Preservation Plan
- Flat Roof vs. Pitched Roof
- First Avenue Cross Section
- General Plan Special Area Policy Items
- Master Plan
- Neighborhood Density Study

Chairman Cox opened the public hearing.

Tom Kruse, Oro Valley resident, questioned whether the commercial rezoning would create an increased need for sewer and/or water capacity.

Robert Cain, Oro Valley resident, questioned the following on attachment 7; what does the acronym ESLO stands for, and requested the definition of distinct vegetation and native plants. Mr. Cain went on to question the lack of access onto Palisades and if this was a done deal; and why use Meritage as the developer?

Alan Dankwerth, Oro Valley resident, expressed thanks to the applicant for all the meetings and went on to express his concern with the safety issue on Palisadas Road. Mr. Dankwerth went on to voice the issues of speeders and the narrowness of the lip on Palisades as a safety issue. Mr. Danwerth proposed that the Town continue the pedestrian path all the way down the entire length of Palisades.

Doug Mckee, Oro Valley resident, complimented staff and the applicant on how this proposal has been handled. Mr. McKee went on to express his concern with the safety on Palisades with no sidewalks and requested neighborhood involvement in the design of the multi-use path. In summary, he supports the applicant's request for the rezoning conditioned upon neighborhood participation in the design of the multi-use path and Town funding to extend the multi-use path the entire length of Palisades.

Helen Dankworth, Oro Valley resident, complimented the applicant on the work that has been done with the neighbors. Ms. Dankwork went on to state that she is in support of the development and urges Town Council to widen Palisades for safety issues.

Patty Estes, Oro Valley resident, complemented WLB and the developer on the project. Ms. Estes went onto state that her neighborhood is bearing the brunt of the impact of this development and does not see First Avenue as a buffer zone. Ms. Estes agrees with a lot of the conditions placed on this project, but does not agree with the building heights being proposed. WLB had a very nice drawing of the setbacks, but what she didn't see was where the sound walls and backyard walls would go.

Sanford Seltzer, Oro Valley resident, requested a more concise description of the difference between medium level density and low level density. Mr. Seltzer went on to ask if there were any specific regulations regarding what constitutes an allowable commercial.

John Amato, Oro Valley resident, asked what the height limitations on commercial properties are and what type of commercial buildings would be built on this property. Mr. Amato agreed with the previous speakers regarding the safety issues on Palisades.

Amy Eiscenbery, Oro Valley resident, expressed her concern with illegal garbage dumping on the opposite side of Palisades Road and went on to ask what the plans for this property were. Ms. Eisenbery continued asking if there will be planting of native trees and plants and asked for more details about the business going in this site.

Chairman Cox closed the public hearing.

Bayer Vella, Interim Planning Manager, answered Planning related questions.

David Laws, Permitting Manager, responded to the questions in regard to dedication of property for right of ways.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to recommend approval of the Kai (North) Rezoning from R1-144 to R1-7 and C-1 based on the findings in the staff report and subject to the conditions in Attachment 1 with a modification of the addition pitched roof before the word residential in condition 5e.

MOTION carried, 7-0.

Attachment 1
Conditions of Approval Planning and Zoning Commission
December 2, 2014

Planning Conditions

1. All Kai-Capri Special Area Policies to be included as General Notes on Final Plat (Residential) and Final Site Plan (Commercial).

2. Indicate proposed setbacks for both residential and commercial. Commercial setbacks are as follows:

    a. Front: 20 feet
    b. Side: 50 feet or 3:1 (setback to building height ratio), whichever is greater
    c. Rear: 50 feet or 3:1 (setback to building height ratio), whichever is greater

3. A minimum 15' buffer yard Type "B" is required along the eastern edge of the proposed commercial, per Table 27-7.

4. Homes on lots 5 through 12 are limited to one-story.

5. The following Environmentally Sensitive Lands Flexible Design Options are applicable:

    a. <u>Building Setback</u>: Building setback reduction to no less than a five (5') foot side setback and no less than a ten (10') foot front setback so long as it doesn't result in an on-lot driveway of less than twenty (20') feet.

    b. <u>Landscape Buffer Yard</u>: a reduction of no less than ten (10') feet. Not allowed along street frontages and adjacent to any existing and proposed residential.

c. Minimum lot size: A minimum lot size reduction to 5,500 square feet in accordance with the Conservation Subdivision Design lot reduction incentive.

d. Off-street parking modification: A modification for future development in accordance with Section 27.7.C.2 (Alternative Parking Ratio) of the Zoning Code.

e. Building Height: A building height increase from eighteen (18') feet to twenty (20') feet for *pitched roof* residential within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development.

f. Recreation Area Credit: Active and Passive recreation area count towards the overall ESOS requirement.

g. Native Plant Preservation: the native plant salvage and mitigation requirements of Section 27.6 are waived for all development within development envelopes.

Engineering Comments

1. A multi-use path will be required to be constructed along the project's frontage with Palisades Road. The path is to be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

2. When the commercial area is developed, appropriate traffic mitigation measures shall be implemented so the project drive located at the Oro Valley Retail Center intersection operates at an acceptable level of service with the addition of the commercial traffic.

Parks and Recreation Conditions

1. All trails to be dedicated "non-vehicular permanent public recreation easements"

Chairman Cox recessed the Planning and Zoning Commission meeting at 7:19 PM.

Chairman Cox resumed the Planning and Zoning Commission meeting at 7:22 PM.

2. PUBLIC HEARING: A ZONING CODE TEXT AMENDMENT RELATED TO SENIOR CARE USES. THE PROPOSED AMENDMENT INVOLVES MODIFICATIONS TO CHAPTER 31 (DEFINITIONS), TABLE 23-1 (PERMITTED USES) AND SECTION 25.1 (DEVELOPMENT STANDARDS) OF THE ORO VALLEY ZONING CODE REVISED (OVZCR). THE PROPOSAL ALSO INCLUDES AMENDMENT TO REFERENCES THROUGHOUT THE ZONING CODE RELATED TO SENIOR CARE USES, OV714-009

Chad Daines, Principal Planner, presented the following:

- Reason for Request
- Proposed Solution
- Common senior care elements
- Similarities with multi-family
- Permitted Zoning Districts
- Recreational Area
- Stakeholder Review
- General Plan Policies
- Recommendation

Chairman Cox opened the public hearing.

Don Bristow, Oro Valley resident, expressed his concern with the different in levels of care within the categories. Mr. Bristow went onto comment that with the different of levels, they are still being treated all as one and where these categories are placed is going to be very critical. The presentation showed nothing but pictures of apartments and town houses. Senior care facilities are not necessarily apartments and town houses. The definition of senior care is not well thought out and does not fit the real world of senior care. The impact on the neighborhood and residential area has not been taken into consideration.

Lisa Isreal, Non-Oro Valley resident, commented that she agrees with the previous speaker and expressed concern with the ever changing definitions of healthcare. To lock in the definitions may pose a problems later. The definition of senior care facility and hospital takes away the flexibility of hospitals to provide in-patient hospice and skilled nursing as the market changes. The definitions restrict flexibility for the future.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Rodman and seconded by Vice-Chairman Buette to recommend approval of the Zoning Code Amendment in Attachment 1 and 2 related to senior care uses, based on the findings in the staff report with a modification of changing the word “institution” for the word “facility” where ever it may appear.

MOTION carried, 7-0.

3. PUBLIC HEARING: A ZONING CODE TEXT AMENDMENT TO THE MODIFIED REVIEW PROCESS ENABLED BY THE ENVIRONMENTALLY SENSITIVE LANDS SECTION OF THE ZONING CODE. THE PROPOSED AMENDMENT TO SECTION 27.10.D.3.F.2.ii.h WOULD ALLOW LIMITED CHANGES TO A TENTATIVE DEVELOPMENT PLAN TO BE ADMINISTERED AS PROVIDED IN SECTION 22.3.D.2.b.i THROUGH SECTION 22.3.D.2.b.iii., OV714-011

Michael Spaeth, Senior Planner, presented the following:

- Modified Review Process
- Conservation Subdivision Design
- Existing Criteria for revised Tentative Development Plan
- Proposed Code Amendment

Chairman Cox opened the public hearing.

Jeff Grobstein, Oro Valley resident, stated he is in favor of this zoning code text amendment.

Paul Oland, Non-Oro Valley resident, commented that the language is of a higher quality standards to be placed into the code that helps clarify issues that have come up in the past. Setbacks are something the Planning Director should have the ability to adjust according to the clustered lot size. Mr. Oland suggested adding the word "perimeter" before the word "setback".

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Drazazgowski to recommend approval of the Zoning Code Amendment in Attachment 1, related to the modified review process, based on the findings in the staff report with a modification of adding the word "perimeter" before the word "setbacks".

Attachment 1
Proposed Code Language
Planning and Zoning Commission
December 2, 2014

Section 27.10.F.2.c.iii.h

"Modified Review Process. Site Plans and preliminary plats submitted in SUBSTANTIAL conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved. ANY PROPOSED CHANGES TO A TENTATIVE DEVELOPMENT PLAN MUST BE ADMINISTERED AS SPECIFIED IN SECTION 22.3.D.2.b.i, ii and iii."

i. Any change to the permitted use or uses. Permitted uses shall mean the primary and alternative uses as set forth in the Tentative Development Plan and conditions attached to the approved rezoning.

ii. Any change to the development standards or zoning conditions relating to building heights, PERIMETER setbacks, open space requirements, any reduction in open space, parking, floor area ratios and density.

iii. Any change to the Tentative Development Plan associated with this rezoning which would vary any material terms or conditions of the rezoning, which would modify any proposed density standards, any kinds of street or land improvements proposed affecting the standards and layout for vehicular circulation, signs and nuisance controls intended for the development.

MOTION carried, 7-0.

4. REQUEST FOR PLANNING AND ZONING COMMISSION INITIATION OF A ZONING CODE AMENDMENT RELATED TO THE REVIEW AND APPROVAL PROCESSES ENABLED BY THE ECONOMIC EXPANSION ZONE OVERLAY DISTRICT

Bayer Vella, Interim Planning Manager, presented a brief summary and background of the Economic Expansion Zone (EEZ) Overlay District Code Amendment.

MOTION: A motion was made by Commissioner Rodman and seconded by Vice-Chairman Buette, move to imitate a Zoning Code Amendment to Section 24.9 (Economic Expansion Zone Corridor Overlay District) to improve the EEZ review process and zoning provisions.

MOTION carried, 7-0.

ADJOURNMENT

MOTION: A motion was made by Commissioner Drazazgowski and seconded by Commissioner Leedy to adjourn the Regular Session Planning and Zoning Commission meeting at 8:01 PM.

MOTION carried, 7-0.

STUDY SESSION AT OR AFTER 6:30 PM

CALL TO ORDER

Chairman Cox called the December 2, 2014 Study Session of the Oro Valley Planning and Zoning Commission meeting to order at 8:07 PM.

ROLL CALL

PRESENT:	Don Cox, Chairman John Buette, Vice-Chairman Greg Hitt, Commissioner Bill Rodman, Commissioner Bill Leedy, Commissioner

Frank Pitts, Commissioner
Tom Drazazgowski, Commissioner

STUDY SESSION AGENDA

1. DISCUSSION ITEM: PROPOSED REZONING OF A 79.5 ACRE PROPERTY FROM ROONEY RANCH AREA "Z" PLANNED AREA DEVELOPMENT TO NAKOMA SKY (FORMERLY KNOWN AS LA POSADA) PLANNED AREA DEVELOPMENT AND AMEND THE ENVIRONMENTALLY SENSITIVE LANDS MAP AND A MINOR AMENDMENT TO THE GENERAL PLAN SPECIAL AREA POLICY RESTRICTING RESIDENTIAL SUBDIVISION DEVELOPMENT DENSITY. PROPERTY IS LOCATED SOUTHEAST OF THE 1ST AVENUE AND NARANJA DRIVE INTERSECTION, OV914-007 AND OV914-008

Matt Michels, Senior Planner,

- Required Approvals
- Location
- History
- General Plan Land Use
- I. Minor General Plan Amendment
- II. Proposed Rezoning
- III. Environmentally Sensitive Lands Existing Designations
- IV. Grading Exception
- Public Outreach
- Primary Issues
- Next Steps

Lisa Isreal, President and CEO of La Posada, presented a brief summary and background of the proposed project.

Veron Swaback, Swaback Partners, pllc, representing the applicant, presented the following:

- Brief History as an Architect
- It takes a Village
- Magic in buildings
- Residential
- Communities
- Celebrating Communities
- Opportunities & Constraints
- Village Retail
- Residential Cottages
- Assisted Living and Memory Care
- Residential Village
- Mountain Village

- Community Park
- Main Building
- Intimate Spaces vs Grand
- Vistas Focal Points

Rob Longacre, WLB Group, representing the applicant, responded to the questions and comments from Planning and Zonings Commission.

James Kai, owner of adjacent property, responded to a question from the Commission regarding the Nakoma Sky north entrance.

Judy Schumann, Oro Valley resident, commented that she is favor of the proposed and impressed by the applicant.

Joan Condit, Chief Operating Officer, responded to a question from the Commission regarding the time frame of breaking ground.

PLANNING UPDATE (INFORMTIONAL ONLY)

Bayer Vella, Interim Planning Manager, presented the following:

- Announcement of final meeting for Chairman Cox and Vice-Chair Buette
- Upcoming Town Council December 3rd meeting
- Upcoming Special Town Council December 10th meeting
- Upcoming Planning and Zoning Commission January 6th meeting
- Upcoming Neighborhood meetings

FUTURE AGENDA ITEMS

ADJOURNMENT

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Leedy to adjourn the Planning and Zoning Study Session at 9:11 PM.

MOTION carried, 7-0.

Prepared by:

_____
Roseanne Flores
Recording Secretary

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Session of the Planning and Zoning Commission of Oro Valley, Arizona held on the 2nd day of December 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Attachment 4
Industry and Resident Comments

DESIGN WITH INTEGRITY PLANNING DESIGN INTERIORS ARCHITECTURE

720 NW Davis 503.221.1121
Suite 300 503.221.2077
Portland OR 97209 www.lrsarchitects.com

MEMORANDUM

To: *Chad Daines*

Town of Oro Valley

Project Name: *Senior Care Zoning Amendment - 2nd Draft* **Project Number:** *211351*

Subject: *X. 1. a. Recreational Area* **Date:** *Wednesday, November 19, 2014*

Remarks: *Implementation*

Section X.1.a. mandates that the recreational area provided for senior care facilities comply with section 26.5.B, which was developed for residential subdivisions. Implementation of this requirement across the senior care facility gamut does not seem to respond to the actual needs of the facilities.

The areas required to satisfy section 26.5 C.1. are noted at "...(1) acre to every eighty-five (85) dwelling units." Assuming a sleeping unit, resident bed and/or residential living unit constitutes a dwelling unit for the purposes of the area requirement; I have compared calculations for our recent memory care project, Catalina Springs Memory Care, in your town.

The attached site plan shows a 2.6 acre site with a 27,000 square foot building on it. The building provides two 50' by 50' secure landscaped courtyards with areas of hard surface for use by wheelchairs and walkers. Inside the building are Family Lounges, Living Rooms and Activity Areas for the residents and their visitors. These spaces total 6,000+ square feet, which translates to 167 square feet (10'x16'-6") of area per sleeping unit.

In addition, and per TOV zoning regulations, the site is ringed with sidewalks and four bench areas are provided. If a resident has an escort, there is ample opportunity for more "activity" than they can handle.

For this project, the number of sleeping units is 48, which would require .56 acres of "useable" recreation area. That acreage equates to 24,598 square feet. As noted above the entire building is 27,000 square feet. As the landscaped area between the building and the two major roads is heavily planted as required by other areas of the town code, additional land would need to be purchased to satisfy the recreational area requirement. Land that would likely go unused by the facility.

The clientele for senior housing varies greatly, thereby having the abilities and activity levels vary just as greatly. Memory care facilities are staffed to provide near constant watchfulness for the safety of the residents. A thoughtful design with sight lines and limited distances for staff access to residents is the optimum plan for resident safety.

I encourage you to consider the clientele's capabilities of the numerous types of senior care facilities and provide appropriate recreational requirements per usage if you want to encourage or even accommodate senior facilities in the town.

Respectfully submitted by:

Gail Boger
Project Architect

Chad,
This is so well organized and thought out. Really, I do not have anything to add. This is impressive and covers the different product types very well. The only issue that I have seen, which is outside of City Codes, is that often the Residential Homes (for 10 or less is not very well regulated and often have patients would need higher levels of care.
Oro Valley will be a model for other communities with this work product.

Senior Living facilities and communities will continue to be a larger market share. I have spent much of my career trying to explain what we were and were not, as we pioneered various product types.
Please let me know what you think of our community in Oro Valley when you tour. I loved developing Splendido at Rancho Vistoso and the entire Council and staff visited our project at Grayhawk in Scottsdale several times as we got everything underway.
Let me know and best to you.

Sharon Harper – Plaza Companies

Chad,

Our long term care ombudsman reviewed the changes and said that the definitions are consistent with the changes the state is making. She didn't have any other comments.

Carolyn

Carolyn Cortesi, MPA
Director of Community Initiatives
Pima Council on Aging (PCOA)
8467 E. Broadway Blvd., Tucson, AZ 85710
ccortesi@pcoa.org
Direct Line: 520.258.5060
Help Line: 520.790.7262
PCOA Fax: 520.790.7577

Say Rick,

It appears Oro Valley is in the process of adopting development guidelines for Alzheimer's and other senior care facilities.

Some of the proposals are below. All of them would have, if instituted, killed the feasibility of the project we're now building. The setbacks are enormous. (Oddly, they'd utterly defeat the mobility of the population they're intended to serve).

So just a head's up, as this can dramatically AND adversely affect the value of and ability to develop your property on Oracle.

Best.Jim Ekberg jweassoc@comcast.net

From: Gail Boger [mailto:gboger@lrsarchitects.com]
Sent: Wednesday, April 16, 2014 4:41 PM
To: Williams, David
Cc: Daines, Chad
Subject: Zoning re Senior Housing

David,

It was good talk with you regarding the zoning amendments for senior housing.

I have attached the zoning ordinance for Portland, Oregon that pertain to senior housing. This does not address the medical facility uses, just housing.

As we discussed, my first impression when reading the amendments was that Oro Valley did not want senior housing.

Other thoughts:

The definitions for the facilities needs to reference Senior Care Health Care Institution.

It is not clear how a memory care facility is classified or could benefit from the site requirements set out.

A 1,000 foot long 10 foot wide walking path is not like ly to receive any resident use in a memory care;

Walking paths need to be hard surface to provide for walkers, wheelchairs and unsteady footing in all senior settings, the size prescribed would be quite expensive;

A 25' building setback from parking and access aisles adds considerably to the land required and will discourage façade play, we typically vary between 10' and 20';

What benefit the 120' and 75' setbacks provide is unclear except to increase the land required for a facitly;

How active the residents are can depend on operations and intended clientele, this tends to be market driven. Mandating particular facilities is not necessarily pro viding a better environment for the residents and in fact may stand unused;

A local facility included a children's play area for the neighborhood then rescinded due to liability concerns. It stood unused until it was removed a few years later;

The greatest concern is that the land requirements can drive up the facility cost which in turn drives up pricing possibly making the these housing options prohibitively expensive for certain economic brackets.

As I suggested, read the state regulations, and there are separate ones for assisted living and long term care. The state does not prescribe the types of activity and usage for any type of licensed facility. I think this is an important point to note.

The vast majority of facilities, while a business, do care greatly about the quality of services they are providing to a vulnerable population.

We at LRS are always working to create the best possible environments for the aging population. We have found that over-prescribed and/or excessive regulations do nothing to further that cause.

Thank you for the opportunity to comment.

Gail

Gail Boger | Architect | LRS Architects | Portland | Shanghai
503.265.1563 direct · 720 NW Davis Street Suite 300 · Portland, OR 97209 · www.lrsarchitects.com

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Thank you Rosevelt,

Chad had sent the drafts last week. The property owners and I have had some conversation about the proposal.

I wish that my colleague and I could present to the planners there a senior housing overview.

There are a few undefined terms/concepts in the wording that could lead to confusion in trying to satisfy the requirements. For instance, do resident beds and residential living units equate to dwelling units for application of 26.5(C)(1)?

Another one is that an Independent Living facility (which usually means just that, independent requiring no assistance and not licensed by the state) usually does not offer a full-service communal dining room. The developer may decide to have a club house if the rent range can support the extra amenity cost. And how many residents are to be seated in a full-service communal dining setting, 100%, 50%? That could add considerable square footage, a.k.a. dollars, to the project, again raising the rents to pay for the project.

Again, providing a variety of facilities with a range of amenities, that are market driven, is the best way to provide housing to a variety of economic ranges.

Thank you for the opportunity to comment. As I talk more with the developer, I will convey additional information if appropriate.
Gail

Let me start this summary with the Permitted Use Chart. Any retirement facility, be it independent, assisted or skilled nursing, should not be located immediately adjacent to small lot, residential sub divisions.

Retirement facilities are commercial enterprises. They have regular supply visits from a variety of vendors like a large retailer. They have emergency vehicles that arrive day and night to attend to 911 calls. Sirens in a neighborhood is alarming to residents, and should be minimized, by locating retirement or Senior Care facilities in a C-1 or C-2 zone. There should be enough space - as stated in draft 1 - to allow a landscaped walking, viewing path for residents without pedestrian, vehicular conflicts from within the district. So, Splendido is ideally located near a large wash; LaPosada is ideally located on a parcel adjacent to a wash. Desert Springs is poorly located, and Fairwinds/Desert Point is marginally acceptable with adjacency to roadways through nearby apartment complexes. But the area is heavy sloped, and the

roadways are busy, which makes walking any distance uncomfortable and unlikely. The All Seasons facility is very poorly located, and is questionable as to what actual level of service they intend to provide. But enjoying the outdoors in a relatively secluded, landscaped area is clearly not part of their service, but should be part of the development review process.

I do not support private homes being converted into assisted care facilities. I've been in such homes visiting unfortunate people there. The rooms are small - too small for comfort to allow for some one to sit in a comfortable Chair to read or sofa to watch TV or work on a computer. The rooms were designed probably for kids, but older people especially with mental or physical difficulties,need to feel "like home" to the extent possible. That means units need to be designed for that purpose, not converted from a different purpose.

I appreciate that this use of a private home in this way represents a financial opportunity for some. My concern is for the well being for the patients. This should be part of the Home Occupation process where it could receive more individual scrutiny. Private home does not provide the size of lot that would permit a patient, even with assistance, to walk outside, sit in a garden comfortably and quietly. Most homes are not on larger lots, and walking would involve neighborhood streets, some of which are unsuitable for walking for an unsteady individual. Particularly if a walker, cane or wheel chair is necessary.

The definition of Independent may be boilerplate wording from somewhere, but I believe that the language " do not require routine/ongoing assistance " is simply incorrect. Independent is interpreted as "taking care of oneself", but many people living in independent units hire care-givers who come in daily or periodically to help them everything from shopping, dressing, bathing as well as walking with them to steady their experience. This removes the facility from providing such assistance, as would be the case if that individual moved into assisted living. Many people prefer the larger independent living apartments, and will pay to get the assistance they need in order to stay where they are.

Independent facilities allow this accommodation. In some cases, the care giver even lives within the apartment. Why is this relevant to your preparing of a code? Independent care facilities do keep track of their residents. If their newspaper isn't picked up daily at a normal time; if they are not seen at the dining room or in meetings or picking up their mail, for example, staff will call them or ring their doorbell. This is service and caring. If a person has a care-giver that is noted, but not forgotten.

I believe the sentence that indicates that an independent care facility must provide full service dining and group activities is fine, but needs to be more fully explained, as I tried to do in Draft 1. Activities that are for multiple people is necessary, but activities for individuals...be it exercising, reading in the lobby or in a library or walking their dog has to be provided by the design of the facility. All Seasons; Desert Springs and numerous other places outside of Oro Valley have not designed facilities for "care"...only "living", which isn't good enough considering the expense, and the expectations of the family that maintains some contact and responsibility. I've toured facilities here and all over that offer an outside swimming pool, which is unattended; a small exercise room with a tread mill, bike or matt for stretching that is unsupervised. This isn't care; it's allowing the residents to take risks when they use facilities, and a Town that authorizes this sort of use, must be aware of what level of care - not just "living" - is provided.

As I've said, I oppose allowing homes to be converted into assisted living. People who are hired by these homes to provide the assistance are credentialed, as a general statement, but they are not supervised. How often do we read about abuse, and that occurs when personnel are not supervised. It's a hard job working with the elderly, and it can become a real test for those who take on the task of caring for someone. I've witnessed what I would consider "abuse" at other facilities and even here at Splendido by care-givers who simply appeared to "snap".

The section on Recreation is incomplete, and needs to differentiate recreation as appropriate for elderly, whether assisted or independent, what amount of space is necessary. Remember, that walking is the primary individual activity, and there simply must be a continuous walking path within a professionally landscaped, tree shaded area with views, gardens where quiet is a memorable experience. Putting greens, for example, are under used as a percentage of all residents. These are expensive to maintain in

an attractive manner, and I prefer to delete them as even a suggested amenity. Apartments independent care should have balconies, and the design of units must be such that apartments can have a clear view of the sky; a landscaped courtyard or open space...not a view of someone else's living room. Units should not be over or next to a loading dock or delivery area or bordering a busy roadway like Oracle, Lambert, LaCanada or LaCholla. Walkways must be smooth and not have cracks where cement sections have been joined. Walkers, shoes can stick causing a fall or, just as bad, fear.

IN closing, the design of a retirement facility that includes service to care for individuals must not be squeezed into available space. The space must be expanded to allow caring to occur, and I've tried to emphasize the importance of the outdoor experience; supervision, and a variety of activity space that is necessary.

Bill

Chad

The chart includes skilled nursing, independent and rehabilitative care. To be clear, rehabilitative care is skilled nursing. Somebody who has back surgery, a hip or shoulder replacement would go into a skilled nursing section that provides that rehabilitative care. There are offices that specialize in rehabilitative care, which is often for amputees or severe brain injuries. I just wanted to be sure that the three stated care levels still require assisted living to be complete. Memory care is also included in skilled nursing, but does require specialists. Again, there are offices that specialize in memory care only. We have hospice facilities and memory care facilities in Oro Valley, although I've not toured them.

Bill

Chad: To try to clarify, my position has been, and is, that there be a minimum size requirement for Senior Care facilities in order to ensure sufficient space for the recreational needs of residents. I don't believe I intended to maintain that 20 acres of open space was a requirement for recreation; 20 acres is my minimum parcel size for any senior living facility believing that, after parking, there will sufficient space for a walking experience without residents leaving the property. I think a minimum size requirement is justified. A All Seasons, Mountain View, Desert Point or Desert Springs ought to convince anyone of how inadequate those facilities are. That's not to say that people won't still rent units in those facilities; it's the level of care consideration that the town ought to insist upon.

Bill

Chad

Although it is probably more complicated for you, I'm going to be sending you comments as I develop them from reading portions of your draft.

I'll start with where I did some months ago.

"Care" and "Living" are not the same. We should apply "care" to all descriptions, and not "living". Care is the service these organizations provide; not "living".

I also don't believe "home" should be introduced as another descriptive term. All facilities in the category deliver "care"...assisted, independent care are different levels of care, and those differences must

become clear in other sections of this draft. The Town does not want a "buyer beware" atmosphere to prevail when previewing any care facility in Oro Valley.

The word "home" carries an implication that the facility is a converted private residence. If it is, I oppose that use being approved, and should not be considered. A private home cannot provide the insulation, privacy and yet responsiveness a facility designed for that purpose does especially for assisted care. A topic for the 17th.

Because independent care doesn't require a license from the State doesn't mean they shouldn't be expected to deliver "care", and the Town needs to be clear about that. This a topic for your meeting on the 17th. People that choose independence may be frail, unstable and have dementia symptoms. Their rooms need to have grab bars, security alarms, and the housekeeping staff need to be trained to observe signs of either falling, dropping things, spillage, slippage from throw rugs.

Finally, in this segment, I'd like to focus upon the use of the recreation code to apply to this category. It Cannot and should not.

Recreation within a Senior Care facility is either supervised or unsupervised...not passive or active. Unsupervised recreation is walking outside. The first requirement of a Senior Care facility is to have sufficient property to allow comfortable walking on the property. Gentle hills - nothing like Innovation Park, where All Seasons plans to build. At least twenty acres of space that allow residents to view, rest as well as walk ON THE property. A properly sized and facilitated dog park is necessary with small balls, bones for dogs to play with or retrieve. Walking within the property is critical because each resident is given an emergency pendant to wear or carry with them. The emergency pendant is effective to alert staff ANY WHERE ON THE PROPERTY when someone is having personal difficulty breathing, standing, walking and needs help. Once off the property, the pendant begins to be out of reach electronically. Senior Care facilities that are developed on small parcels make it necessary for residents to leave the grounds of the facility to walk, which complicates getting help should they need it. This is for Independent as well as assisted residents.

Supervised recreation is indoor swimming or exercise within a carefully equipped exercise room with trained staff on duty to help, and create exercise programs for every stage of independence or assistance. Exercise within a Senior Care facility is a very different experience than at Gold's Gym or Anytime Fitness. Recreation includes thinking and talking, and all Senior Care facilities must have a card room for board games, a billiard room, and casual meeting places for discussion, lectures, musical presentations...things that residents in a Senior Care facility can't get out into the larger community to participate. Lighting must be adjustable; ventilation must be good with central air and not window units like many facilities. A movie theater is necessary for slide shows, DVD presentations as well as full length movies offered by Netflix.

There should be a bank branch in-house; a wellness center for discussion with staff about symptoms and treatment.. If the facility has a section for assisted care or skilled care or memory care away from the independent areas of the campus, those facilities need to have access to the walking paths, but with supervision, need to have their own exercise facility and program development; own entrance, dining and laundry facility.

As you noticed when you toured Splendido, the hallways are wider in the living quarters for assisted and skilled care; chairs all have wheels to be moved easily. Private rooms are smaller to make places more accessible, and easier for staff to help. Units for independent residents may have balconies with four to five foot metal fences except on the ground floor. No balconies outside of units in assisted or skilled care. No sliding glass doors without a metal fence half way up the doorway.

Staffing a Senior Care facility is more expensive because of the training staff requires. They are dealing with continuously people who may not hear, see, understand or pay attention. This is a stressful environment for anyone, but staff people - whether housekeeping or being part of the wait staff in the dining room - need training. This is "the Care" part of the service of all of these facilities.

In later memos, I'll talk more about things like dining, for example. Some facilities have buffet services, which is impossible for assisted and many independent residents. The facility must be prepared to take orders; fill them and deliver them to each resident. A nutritionist is required to be sure elderly get healthy meals, and not just want they may like or want.

But initially I wanted to give space to this topic of recreation which is very important - and even more important than in an apartment complex.

Bill

Senior Care – Definitions

Long Term Care requirements are not routinely significantly different than assisted living. Both will be equipped to handle persons for a matter of years on a continuing basis. A facility will treat a person who is unable to live independently the same whether their condition is referred to as Long Term Care or Assisted Living. A person in such a circumstance may not need daily care from a physician, but is taking medicine directed by a physician and may acquire conditions that require a physician's participation. The conditions in the Assisted Living or Long Term Care will be the same in order to be prepared for declining health factors that require them. A facility is not going to have different living facilities for Long Term Care and Assisted Living. Long Term Insurance policies do not differentiate, and reimburse at the same rate. A person needing rehabilitation short term may be admitted to Assisted Living.

I don't believe Residential Care should be lumped into Assisted Living. Assisted Living is more intense and differently staffed and facilitated, as described previously. As also commented earlier, Assisted Living should not be limited to a number of beds or units. An apartment for Long Term Care might be more than one bedroom, for example, indicating that the condition of the person involved is not demanding a simpler, more compact life style. Assisted Living is typically like a hotel room with a living, sleeping space with a bathroom. Skilled Nursing is like a hospital room with a chair or two, bed and bathroom.

Multi-Use Care: If in the same building, the sections should be restricted access. There are important safety and life style aspects. There should be separate entrances for guests with separate administrative offices and waiting rooms.

I don't agree that Oro Valley should allow in-home assisted living. Regardless of how the patient room is configured, this is an incompatible use within an otherwise conventional residential neighborhood. The level of care, and the condition of the patients is so very different from a healthy neighborhood with active adults and families, the inclusion of assisted living is simply unhealthy. A home may not provide the necessary privacy, insulation and separation of one patient's situation from another. An unhealthy situation. In assisted living, people are not expecting or requiring a social environment, unlike independent living. Although licensed by the State, I don't feel Oro Valley should allow it.

Independent Living I've commented upon in an earlier submittal. In essence, the definition here is too similar to an apartment living environment. People who choose to live in a "retirement" community with independent living units are not "self-sufficient"…a very important distinction. These are people whose physical condition, mental alertness and other disorders require a level of attention that supports, rather than simply reacts, to residents. People on duty within an independent living residence are more than security staff. These are people who can assist with

people who become disoriented, confused, lost, fall. The units are equipped to provide emergency alarms, grab bars and easier to use appliances.
2) 25.1 W
In order to be clear, I don't think we should introduce another term, "Senior Care Facilities". It is important that the separate divisions within multi – use care (residential, assisted, independent, memory and skilled nursing) are referred to as defined. In other words, a facility may have a promotional name, such as Splendido or Desert Point, but then is identified as providing the care services as defined. It is also crucial that the facility be identified as CCRC or not. Continuing Care Retirement Community is one that provides the three levels of care {Independent, Assisted living and Skilled Nursing} with a payment program that allows for transition from one to the other with no change in your monthly service fee. Pay for Service arrangements, which are more typical, may have a lower entry fee and monthly service fee, but then a patient pays more to move to the higher level of care as required by their condition. In this definition, Memory Care is typically part of skilled nursing and would include the Alzheimer patients.
3. Location
I understand the setback increases. If you visit Mountain View at LaCanada and Magee Road, you'll see that the setbacks – although larger – have no impact upon noise, glare/light. That is why I have commented earlier that the minimal lot size for these kinds of developments needs to be 20 acres in order to naturally provide more open space, berms (note the north boundary of Splendido) and adequate parking away from the living units (Mt. View). An incentive to have a smaller lot could be if the development included an underground garage or parking facility. The distance to parking is a troublesome problem for residents at Splendido particularly in the hot weather. Splendido will provide a golf cart service to parking with 15 minutes' notice, which is inconvenient.
5. Recreation
Swimming pools and hot tubs need to be inside or fully shaded. Elderly should not be exposed to the sun. A
Way too many facilities have fully exposed swimming pools and they are less used. Exercise rooms for seated volley ball, ping pong or other mild exercise space needs to be separate from meeting room, dining room spaces. Mechanical exercise equipment needs to be explained carefully before use and a patient needs to provide a physician's approval before use. A full time attendant should be on duty to check people in and out, and to ensure that use of the facility is within a patient's capacity. This is not Gold's Gym where people come and go and are on their own judgment as to what is good exercise. Outdoor recreation should be limited to walking trails and small putting greens of artificial turf.
Garden areas for patient use and maintenance are an excellent option. Bird feeding stations maintained by residents is another past time. Space for artistic development and creations should be available with storage of resident materials and work in progress. This could include musical instrument practice or recital. One or two dog parks should be provided. Dogs are very common, but can't run freely. These take up space, but are the qualitative differences between Oro Valley facilities and most in Tucson. I feel a development in Oro Valley should provide these amenities and not "credit" as stated in b. & d.

3)
6. Required Amenities. I believe I've touched upon this above. This should be an important CDRB determination. If a good variety of supervised or passive recreational activities as

suggested, and as you've stipulated, are not included, conditions of approval should be added. A walking path on the grounds is very important. Residents must be provided with an emergency alarm pendant that they wear when on the grounds and can use to identify their location should they become dizzy, faint or sick. If the minimum size for the lot is approved, the walking paths can be circuitous and of sufficient length.
The walking paths should be of sufficient distance to keep the resident on the property rather than having them go on to a sidewalk adjacent to the roadway where they are out of range of the pendant, and could fall or stumble into traffic. I notified police of such a person wandering within a shopping center parking lot; didn't know where his car was or where he wanted to go.
b. I'm not sure I understand the use of the word, "Playground". An outdoor exercise "course" is not recommended since its use is unsupervised.
e. Although Council has the authority to override any condition to coincide with their judgment, in this particular type of use, they should be discouraged from doing so. Less active opportunities is better than more passive, as suggested above.
7. Walls / Screening. Fences of a decorative nature would be preferable to walls. People living in these circumstances are less sensitive to being seen, and are more sensitive to seeing out. Fences are important to keep wildlife out of the living areas and walking areas. Other than birds and rabbits, wildlife can unnerve many who don't see well, and can be startled by a relatively harmless javelina or bobcat. Distance from living units is the best preservation of privacy and is the primary reason for a minimum size lot for this use.

Thanks for your consideration of my thoughts. I certainly would like hear more from you when time allows.

Bill Adler
4-5-14

Table: 23-1 Permitted Uses Proposed

Any form of housing for people requiring supervision, care at any level should be on a minimum of 20 acres. Buildings should be designed with sufficient space within and around, including sizable courtyards, to afford views of the sky, vegetation and a sense of openness. Openness may include seating areas with shade structures and small gathering areas with seating for eight to ten people. This 20 acre minimum is regardless of the zoning district.
It would be my belief that placing care facilities within a higher density residential district, C-1 or 2 Commercial districts is a mistake. Congestion of development results in more traffic which limits freedom to walk casually in a relaxed, less noisy environment. Higher surrounding density is likely to result in noise from adjacent residential neighborhoods, which is undesirable and an unhealthy distraction.
I oppose any care facility of any description in a Commercial district. Convenience of shopping is not as important to people in a care facility as quiet and space. These places provide van transportation. If the facility is across the street from a Hospital, the individual needing a doctor's care still would need to be transported by ambulance or a provided car. Van transportation is provided to restaurants and shopping. Closeness is not vital.

I oppose permitting a care facility at any level "by right". The surrounding area; neighboring development and the condition of the proposed land are too relevant and only be permitted by conditional approval.
"Multi use" facility needs to distinguish between a facility providing a Continuing Care program or a Fee for Service program. This is highly relevant. A definition of both must be provided.
Independent Living requires facilities that are supervised 24 – 7 by people able to respond to medical needs. Independent Living is not an apartment complex. Independent is defined in the industry as someone who can dress, eat and bathe on their own. They may, however, require "in home care" on a frequent basis as well as live-in care givers. They may require a walker, cane. So, an independent living facility has to have staff and unit design that accommodates people who move slowly and often with assistance. Facilities must take in to account by design that independent living includes people who have trouble seeing, hearing and may have early forms of dementia. In other words, independent is "relative", and definitely includes people who no longer prefer a home environment that requires their own supervision and management; an environment where assistance with accidents of a personal or facility nature are attended to quickly and as part of the service. An individual may be allowed within independent living with a spouse who provides the day to day supervision of one who is in a wheel chair, for example, and needs help with prescriptions at various times, meal preparation, dressing and bathing. The facility still needs by its own design and staffing an ability to respond to urgent needs either for personal or medical assistance.
2)

The distinction that is proposed between residential, independent and long term care is a distinction without a difference. ALL individuals in any of these living facilities require care, supervision and assistance. Some more frequently than others, for sure. But the distinction is blurred and will not lend itself to an attempt at a rigid definition and certainly will not conform to differences in levels of supervision, qualification, unit design and need.
As I say above, "assisted" living has more to do with the frequency of care delivered, and this should not be lumped into a "residential" care category.
Everyone who lives in a facility needs assistance of one kind or another often on a daily basis. As noted, people move into a facility with relative problems of memory loss, cognitive thinking deterioration, and various levels of physical disability. This <u>is</u> Independent Living.
Chad – It would be very helpful if you could have lunch or dinner – preferably dinner – here with some residents in independent living so that the deficiencies common in independency can be observed. This would be easy to arrange through Nancy Boyle.
I would emphasize that <u>not</u> any form of care facility – regardless of description – be "permitted". All of these are CARE facilities, and cannot be lumped by definition into categories where supervision, alertness to need and patience is minimized. Your definitions tend to do that.
In other words, all independent living facilities need to accommodate what you describe as Long Term, residential, and multi-use.
Assisted Living is a much more intense level of attention; much more heavily staffed with LPNs uniformly on duty and an RN in supervision. Assisted living needs to have its own dining facility for ease of access; an entirely different exercise room, as well as equipment to help with resuscitation, taking vital signs and so on. It needs to have relatively easy access to an enclosed space outside with some shade structure. It may also have its own hot tub or wading pool, but this isn't essential.

Assisted living may be designed in concert with independent facilities, but the patients in each ought to be kept separate from one another only because of the much more frequent need of attention and detail of service in assisted living.
I don't believe that the Town ought to assign a number of assisted living patients that is permitted. This is a growing need, and the patient is often in assisted living for years; not just a few months. I would maintain that an assisted living facility – whether alone or in combination with independent – should be on 20 acres for the same reasons as noted at the beginning. These people need quiet and few distractions. This imposes a cost that I am fully aware of, but the essential quality here is CARE, not cost.
Bill Adler 4-5-14

I'm satisfied with the limited scope of the proposed amendment. The internal standards will have to evolve following a more intense review of the ADA requirements. Right now, my complaint with most standards internally is their inexpensive design from ceiling fans, to window A/C units to shower and bathroom fixtures including toilets; lighting; single pane - insufficient window insulation and glare prevention. Noise between units and above/below units is extremely cheap insulation when the entry fee and monthly fees for "continuing care" are taken in to account. Hallway monitoring TV isn't available. I find elderly people sitting - leaning against walls or the floor having trouble breathing when its hot walking from the parking lot, for example. Unless they have a pendant - and many forget it - they're helpless.

Many service tasks are assigned to teenage kids with little knowledge of health issues that could arise at any time. This is a huge surprise to me. Kids that serve meals in either a dining room or in - house within the assisted living area are ill equipped to respond to symptoms of illness. Cutting corners on cost in this fashion is inexcusable, and need to be upgraded at some point. There's more, of course. What was mentioned last night by Council member Waters with regard to a conversion operation from apartment to assisted living - I visited that place in Santa Fe - all the money is in the lobby, fixtures and common area appearance. The Livability needs of residents is a low priority, but you wouldn't know that from the brochure or the tour. Similar shortcomings in design are very apparent with any critical tour of either the Mountain View, Santa Catalina Villas; Desert Point or Desert Springs facility.

I doubt these latter subjects will ever be taken up without citizen pestering. The elderly is one of those many "out of sight; out of mind" issues.

Bill

Town Council Regular Session **Item # 2.**

Meeting Date: 11/18/2015
Requested by: Councilmember Garner & Councilmember Zinkin
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

MOTION FOR RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF ORDINANCE NO. (O)15-14, PROVIDING FOR AMENDMENTS TO THE NAKOMA SKY PLANNED AREA DEVELOPMENT (PAD), THE PROPOSED AMENDMENTS INCLUDE ADOPTION OF A REVISED TENTATIVE DEVELOPMENT PLAN AND CHANGES TO THE ARCHITECTURAL CONCEPT FOR THE PLANNED SENIOR CARE FACILITY ON 77 ACRES LOCATED AT THE SOUTHEAST CORNER OF 1 ST AVENUE AND NARANJA DRIVE

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

On November 4, 2015 at its regular meeting, Council voted to approve Ordinance No. (O)15-14, providing for amendments to the Nakoma Sky Planned Area Development (PAD), the proposed amendments include adoption of a revised tentative Development Plan and changes to the architectural concept for the planned senior care facility on 77 acres located at the southeast corner of 1st Avenue and Naranja Drive.

Councilmember Garner has requested that the matter be returned to the Council agenda for reconsideration and Councilmember Zinkin has seconded his request. Pursuant to Rule 11.1(B) of the Town Council's Parliamentary Rules & Procedures, the reconsideration of any action taken by Council must be by motion by a Councilmember who was on the prevailing side of the vote. Such motion must be filed with the Town Clerk's office and the Clerk shall place the item on the agenda.

If the motion for reconsideration is successful, the matter will be considered in a separate agenda item in the future.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

Suggested Motions:

I MOVE for reconsideration of the approval of Ordinance No. (O)15-14, providing for amendments to the Nakoma Sky Planned Area Development (PAD), the proposed amendments include adoption of a revised tentative Development Plan and changes to the architectural concept for the planned senior care facility on 77 acres located at the southeast corner of 1 st Avenue and Naranja Drive

Or

I MOVE to deny reconsideration of the approval of Ordinance No. (O)15-14, providing for amendments to the Nakoma Sky Planned Area Development (PAD), the proposed amendments include adoption of a revised tentative Development Plan and changes to the architectural concept for the planned senior care facility on 77 acres located at the southeast corner of 1 st Avenue and Naranja Drive

Town Council Regular Session **Item # 3.**

Meeting Date: 11/18/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

MOTION FOR RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF THE CONSENT FOR THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS TO COMPLETE THE ACQUISITION OF REAL PROPERTY NEAR THE AREA OF MAGEE AND ORACLE ROADS

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

On November 4, 2015 at its regular meeting, Council voted to provide consent for the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads.

Councilmember Zinkin has requested that the matter be returned to the Council agenda for reconsideration and Councilmember Garner has seconded his request. Pursuant to Rule 11.1(B) of the Town Council's Parliamentary Rules & Procedures, the reconsideration of any action taken by Council must be by motion by a Councilmember who was on the prevailing side of the vote. Such motion must be filed with the Town Clerk's office and the Clerk shall place the item on the agenda.

If the motion for reconsideration is successful, the matter will be considered in a separate agenda item.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

Suggested Motions:

I MOVE for reconsideration of the November 4, 2015 approval of the consent for the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads

Or

I MOVE to deny reconsideration of the November 4, 2015 approval of the consent for the Town Manager

to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads

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Town Council Regular Session **Item # 3. a.**

Meeting Date: 11/18/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

IF MOTION FOR RECONSIDERATION IS APPROVED: RECONSIDERATION OF THE NOVEMBER 4, 2015 APPROVAL OF THE CONSENT FOR THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS TO COMPLETE THE ACQUISITION OF REAL PROPERTY NEAR THE AREA OF MAGEE AND ORACLE ROADS

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

If the motion to reconsider is successful, Council will again have to decide whether or not to authorize the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads.

If the motion to reconsider is unsuccessful, no action on this item is necessary.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to give consent for the Town Manager to take the necessary actions to complete the acquisition of real property near the area of Magee and Oracle Roads

or

I MOVE to _____