



# Friends of Pusch Ridge Golf

friendsofpuschridgegolf.org

## MEMORANDUM

To: Friends of Pusch Ridge Golf Course

From: Niranjan Vescio and Tony D'Angelo

Date: May 1, 2021

RE: Oro Valley Town Council Regular Session Agenda Items for May 5, 2021

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***We are pleased to report tremendous progress toward preserving the Pusch Ridge golf course but urge Friends of Pusch Ridge Golf (FOPRG) to seek further clarity at the [May 5<sup>th</sup> Town Council meeting at 6:00 pm.](#)***

## BACKGROUND

Our April 18, 2021 Special Memorandum advised FOPRG that Ordinance (O)21-05 had suddenly appeared on the April 21<sup>st</sup> Town Council agenda and threatened to undermine funding for the Pusch Ridge (PR) golf course by broadening use of the 0.5% sale tax. The 0.5% tax was originally established to operate and improve the community center, golf and tennis facilities being acquired from HSL Properties.

Many expressed concerns at the April 21<sup>st</sup> meeting, urging the Town Council to make their intentions clear about whether the PR golf course would continue to be funded through the 0.5% tax. Although there was a crescendo for voices supporting broadened use of the 0.5% tax for other Parks and Recreation properties (all of which is fair and prudent, given excess funds), the concerns expressed by the HOAs, golf supporters and FOPRG were heard.

The Oro Valley Town Council extended discussion on Ordinance (O)21-05 due to Councilmember absences but may vote to use of the additional 0.5% tax to support [other Parks and Recreation amenities and other uses](#) as early as this May 5<sup>th</sup>. The May 5<sup>th</sup> agenda states:

1. PUBLIC HEARING: ORDINANCE NO. (O)21-05, DISCUSSION AND POSSIBLE ACTION TO BROADEN THE USE OF THE REVENUE RESULTING FROM THE 0.5% INCREASE TO THE TRANSACTION PRIVILEGE TAX ENACTED BY ORDINANCE NO. (O)14-17 ON DECEMBER 17, 2014 (continued from April 21, 2021 Town Council meeting)
2. SUBJECT TO APPROVAL OF AGENDA ITEM #1, DISCUSSION AND POSSIBLE ACTION REGARDING THE FUTURE USE OF THE BROADENED 0.5% SALES TAX COLLECTIONS, [INCLUDING THE POTENTIAL BOND FINANCING FOR CONSTRUCTION OF PARKS AND RECREATION, GOLF, AND COMMUNITY CENTER CAPITAL PROJECTS, AND/OR OTHER USES AS DETERMINED BY COUNCIL](#) (continued from April 21, 2021 Town Council meeting)

## NEW INFORMATION

In a private meeting last week with leaders of the Canada Hills HOAs, Mayor Joe Winfield and Town Manager Mary Jacobs suggested this change is not intended to alter commitments made to support the Community Center, tennis or golf operations, including Pusch Ridge. Key points made during this meeting included:

- Sales Tax will be dedicated to all recreational needs not just golf and the community center.
- Sales tax collections are far exceeding original estimates.
- Operational expenses for all golf, tennis, and community center needs will be covered.
- Funds in excess of the above will be allocated to Naranja park/community center/golf/tennis/Steam Pump Ranch/Amphi Schools partnerships/ other multiuse needs
- HOA Agreements (irrigation of Conquistador and Canada) will be fulfilled.
- Excess funds will be available for bonding projects (it was suggested that instead of continuing with "Pay as you go" to fund capital for the facilities, the council will consider bonding to complete all capital requirements and use tax funds to pay back the bonds)
- All parameters and goals established by the mayor to win his support for golf have been met.
- The proposed budget for next year includes the Conquistador course irrigation project and funding for all operational costs for all golf, community center and tennis facilities.

What mayor and manager did not provide were specifics for restoring and operating the Pusch Ridge golf course, and authorizing capital investments to improve the course.

Attached below is the draft Ordinance that the town council will consider on May 5<sup>th</sup>. Funding to operate is mentioned, but funding to improve is not. There is also no mention of capital bonding nor is there any mention of quality standards for the Community Center, tennis or golf facilities to assess excess funds availability for other uses. Instead, it appears to leave that to be determined by Town Council.

Therefore, as written, this Ordinance may not assure the Community Center, tennis and golf facilities will be adequately funded to achieve and maintain viability as quality operations serving the community.

If the mayor follows through as he stated to the Canada Hills HOA leaders, this change could be a positive for Pusch Ridge Golf Course and all of the Community Center facilities. Sufficient funds will be allocated to operate all golf courses competitively and the capital projects can be completed sooner.

However, the mayor only represents one of the seven votes on the town council and there remain some members with firm anti-golf/community center positions.

### **ACTIONS RECOMMENDED**

We encourage Friends of Pusch Ridge Golf Course to make your concerns and positions known to the Town Council. It is important that we do not come across as opposing support for other parks and recreation needs, i.e., ballfields, playgrounds, etc. ***Our objective is to gain assurances from the Town Council that they remain committed to adequately fund both operation and improvement of the Community Center, tennis and all 45 holes of golf so that they can succeed.*** This includes

accelerating the completion of capital projects (i.e., PR irrigation system replacement from Year 4 to Year 2 or 3) and fulfilling the commitment to restore and reopen Pusch Ridge Golf Course.

We encourage Friends to email the Town Council members in advance of the May 5<sup>th</sup> meeting and call into the Zoom Town Council meeting to express your position during the public hearing on the subject. ([Town agenda and Zoom information at https://destinyhosted.com/agenda\\_publish.cfm?id=67682&mt=ALL&get\\_month=5&get\\_year=2021&dsp=ag&seq=591](https://destinyhosted.com/agenda_publish.cfm?id=67682&mt=ALL&get_month=5&get_year=2021&dsp=ag&seq=591))

Please contact either of us if you have any questions. Thank you.

Niranjn Vescio: [niranjn.vescio@etest.com](mailto:niranjn.vescio@etest.com), Friends of Pusch Ridge Golf, Chairman

Tony D'Angelo: [breakthrough50@me.com](mailto:breakthrough50@me.com), Friends of Pusch Ridge Golf, President

**ORDINANCE NO. (O)21-05**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, TO BROADEN THE USE OF THE REVENUE RESULTING FROM THE 0.5% INCREASE TO THE TRANSACTION PRIVILEGE TAX ENACTED BY ORDINANCE NO. (O)14-17 ON DECEMBER 17, 2014, AND REPEALING ALL RESOLUTIONS, 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 December 17, 2014 Ordinance No. (O)14-17 was passed and adopted, amending sections 8A-405, 410, 425, 427, 430, 435, 444, 450, 455, 460 and 475 of the Town of Oro Valley Tax Code to increase the Transaction Privilege Tax (TPT) from 2.0% to 2.5% effective as of March 1, 2015; and

**WHEREAS**, this increase to the TPT was enacted so that the revenue resulting from the increase could be used to subsidize the operating costs and fund the capital needs of the El Conquistador Country Club, golf and tennis facilities acquired by the Town of Oro Valley on December 17, 2014; and

**WHEREAS**, the original intent of the use of the 0.5% TPT increase to subsidize the operations of the former and now Town-owned El Conquistador Country Club (Community Center), golf and tennis facilities remains valid, and additional capacity of the tax can be beneficially applied to the funding of other Parks and Recreation facilities, amenities or operations as determined by the Town Council for the benefit of the community; and

**WHEREAS**, the initial projections of TPT collections from the 0.5% increase have increased substantially from when it was first adopted.

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

**SECTION 1.** Council hereby directs that the revenue resulting from the amendment to the Tax Code of the Town of Oro Valley enacted by Ordinance No. (O)14-17 shall be used to meet the needs of the operations of the Town of Oro Valley Community Center, golf and tennis facilities and for any other Parks and Recreation facilities, amenities or operations as determined by the Town Council.

**SECTION 2.** All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance 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.

**SECTION 4.** This Ordinance shall not be effective until May 21, 2021, so that the Arizona Department of Revenue will have time to process and implement the terms of this ordinance.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona, this 5<sup>th</sup> day of May 2021.

**TOWN OF ORO VALLEY**

Joseph C. Winfield, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

Michael Standish, Town Clerk

Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_