

**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
April 16, 2014  
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  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**ABSENT:** Lou Waters, Vice Mayor

**EXECUTIVE SESSION**

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Burns to go into Executive Session at 5:01 p.m. pursuant to A.R.S. Section 38-431.03(A)(1) for Personnel matters - Town Manager's annual performance review.

**PRESENT:** Satish Hiremath, Mayor  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**ABSENT:** Lou Waters, Vice Mayor

Mayor Hiremath stated that the following staff members would join Council in the Executive Session: Town Manager Greg Caton and Town Attorney Kelly Schwab.

## **REGULAR SESSION AT OR AFTER 6:00 PM**

### **CALL TO ORDER**

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

### **ROLL CALL**

**PRESENT:** Satish Hiremath, Mayor  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**ABSENT:** Lou Waters, Vice Mayor

### **PLEDGE OF ALLEGIANCE**

Mayor Hiremath led the audience in the Pledge of Allegiance.

### **UPCOMING MEETING ANNOUNCEMENTS**

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

### **COUNCIL REPORTS**

Councilmember Hornat apologized to Councilmember Zinkin for interrupting him at the previous Council meeting.

Councilmember Snider attended the opening of the Pima County Wireless Integrated Network (PCWIN) 911 Communication Center with Councilmember Hornat.

Councilmember Snider recognized Naomi Kolodisner, a student at Painted Sky Elementary School, for her extensive accomplishments and contributions to her community.

Councilmember Snider attended Wilson Elementary's "Local Government" day where she and the School Resource Officer provided an "Instructional day" for students.

### **DEPARTMENT REPORTS**

No reports were received.

## **ORDER OF BUSINESS**

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

## **INFORMATIONAL ITEMS**

1. Letters of Appreciation for Oro Valley Police Department

## **CALL TO AUDIENCE**

Fire Chief Ed Wilkerson gave a brief overview of the Mountain Vista Fire District. Chief Wilkerson introduced the new Battalion Chiefs for Mountain Vista Fire District, Mr. Mike Price and Mr. Darin Reid.

## **CONSENT AGENDA**

Councilmember Zinkin requested that items (C),(D),(F),(G),(I) and (L) be removed from the Consent Agenda for discussion.

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

- A. Minutes - April 2, 2014
- E. Resolution No. (R)14-20, authorizing and approving Amendment Number 1 to the intergovernmental agreement between the Town of Oro Valley, the Town of Marana and Pima County for the design and construction of roadway improvements to Tangerine Road from Dove Mountain Boulevard/Twin Peaks Road to La Canada Drive
- H. Resolution No. (R)14-21, approving Oro Valley Historical Society License Agreement Amendment
- J. Resolution No. (R)14-23, authorizing and approving an Intergovernmental Agreement (IGA) between Pima County and the Town of Oro Valley for the Pima County Wireless Integrated Network (PCWIN) subscriber services
- M. Resolution No. (R)14-26, authorizing and approving a grant contract between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding to provide Northwestern University Collision Investigation Training to be hosted by the Town of Oro Valley Police Department

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to approve Consent Agenda items (A), (E), (H), (J) and (M).

**MOTION** carried, 6-0.

**B. Fiscal Year 2013/14 Financial Update through February 2014**

Councilmember Hornat inquired about the General Fund surpluses and how they were factored into next year's revenue projection.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Zinkin to accept the Fiscal Year 2013/2014 Financial Update through February 2014

**MOTION** carried, 6-0.

**C. Appointments to the Conceptual Design Review Board (CDRB)**

Councilmember Zinkin requested clarification on the Boards and Commission application process.

Discussion ensued amongst Council and staff regarding the application process for Boards and Commissions.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to continue Consent Agenda item (C) to the May 7th, 2014 Regular Council meeting.

**MOTION** carried, 5-1 with Councilmember Hornat opposed.

**D. Appointment to the Parks and Recreation Advisory Board (PRAB)**

Councilmember Zinkin requested clarification of how many applicants applied for the Parks and Recreation Advisory Board.

Councilmember Snider responded that only one (1) application was received for PRAB.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to approve the appointment of Sarah Corning to the Parks and Recreation Advisory Board for a term expiring December 31, 2014. This partial term shall not count against the appointee's term limits.

**MOTION** carried, 6-0.

**F. Request for approval of a Final Plat Amendment for Steam Pump Village, Phase 3, Lot 1, located near the intersection of Steam Pump Way and N. Oracle Road**

Councilmember Zinkin asked for clarification regarding the Planned Area Development (PAD) requirements for Steam Pump Village, Phase 3, Lot 1.

Discussion ensued amongst Council and staff regarding the (PAD) requirements and Final Plat Amendment for Steam Pump Village, Phase 3, Lot 1.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to approve the Final Plat Amendment for Steam Pump Village, Phase 3, Lot 1, finding that it meets the requirements of Section 22.9.F of the Zoning Code.

**MOTION** carried, 6-0.

**G. Request for modification of a Conceptual Site Plan Condition of Approval related to provision of sidewalks for Phase I of the Enclave at Stone Canyon subdivision, located north of Tortolita Mountain Circle and east of Hohokam Village Place**

Councilmember Zinkin asked for clarification regarding the applicants request to eliminate the condition requiring sidewalks throughout Phase I of The Enclave at Stone Canyon.

Discussion ensued amongst Council and staff regarding the sidewalk requirements for Phase I of The Enclave at Stone Canyon.

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Hornat to eliminate the condition requiring sidewalks throughout Phase I of The Enclave at Stone Canyon, as proposed by the applicant and depicted in Attachment 2.

Attachment 2  
Conditions of Approval

Planning:

The following condition is to be addressed with the Final Site Plan submittal:

1. Provide sidewalks throughout the development.
2. Lots shall be reconfigured to conform to the Golf Course Overlay Zone setback requirements.

Engineering:

3. Detention basins are typically located within common areas, not individual lots as depicted within the Conceptual Site Plan (see lots 10 and 11). Easements and

deed restrictions will be required for access, maintenance, and drainage accommodations for any basins operated and maintained within individual private lots unless they are relocated into common areas during the Final Design process.

4. Detention basins are depicted within the traffic circle areas on the Conceptual Site Plan. Verification shall be required during the Final Design stage to verify that the basins will drain within a 12 hour period and that they do not discharge directly into the street.
5. Verification that safe and efficient access is provided for all proposed lots will be required during the Final Design stage. Driveways or constructed obstructions shall not be permitted within areas of limited sight visibility.

**MOTION** carried, 6-0.

**I. Resolution No. (R)14-22, adopting the Pima County Community Wildfire Protection Plan as the official Town plan**

Councilmember Zinkin requested that Council be briefed on the Pima County Community Wildfire Protection Plan.

Golder Ranch Fire Chief Randy Karrer and Fire Marshal Will Loesche briefed Council on the Pima County Community Wildfire Protection Plan.

Discussion ensued amongst Council, Fire Chief Randy Karrer and Fire Marshall Will Loesche regarding the proposed Pima County Community Wildfire Protection Plan.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to accept Resolution No. (R)14-22, adopting the Pima County community Wildfire Protection Plan as the official Town plan provided that the finalized and approved documents are submitted.

**MOTION** carried, 6-0.

**K. Resolution No. (R)14-24, authorizing and approving an Intergovernmental Agreement (IGA) among the parties that form the Pima County/Tucson Metropolitan Counter Narcotics Alliance (CNA) a law enforcement task force. CNA members include: Tucson Police Department, Arizona Department of Public Safety, University of Arizona Police Department, Oro Valley Police Department, Marana Police Department and Sahuarita Police Department.**

Councilmember Hornat requested clarification regarding the Pima County/Tucson Metropolitan Counter Narcotics Alliance (CNA).

Lieutenant John Teachout said that this agreement was very similar to previous agreements, except for some subtle changes.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Snider to approve Resolution No. (R)14-24, authorizing and approving an Intergovernmental Agreement among the parties that form the Pima County/Tucson Metropolitan Counter Narcotics Alliance.

**MOTION** carried, 6-0.

**L. Resolution No. (R)14-25, authorizing and approving a grant contract between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding of one (1) DUI Enforcement SUV to enhance DUI enforcement in the Town of Oro Valley**

Councilmember Zinkin requested clarification regarding the funding of one (1) DUI Enforcement SUV.

Discussion ensued amongst Council, Oro Valley Police Lieutenant Chris Olson and staff regarding the proposed funding of one (1) DUI Enforcement SUV.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to accept Resolution No. (R)14-25, authorizing and approving a grant contract between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding equipment to enhance DUI enforcement.

**MOTION** carried, 6-0.

**REGULAR AGENDA**

**1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR CHUY'S MESQUITE BROILER LOCATED AT 8195 N. ORACLE ROAD #105**

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Burns to recommend approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Christopher Evenson and principals for Chuy's Mesquite Broiler located at 8195 N. Oracle Road #105.

**MOTION** carried, 6-0.

**2. REQUEST FOR APPROVAL OF CONCEPTUAL SITE PLAN FOR A 118 LOT SUBDIVISION ON 131 ACRES KNOWN AS SAGUAROS VIEJOS, LOCATED ON THE NORTHWEST CORNER OF NARANJA DRIVE AND LA CHOLLA BOULEVARD**

Senior Planner Matt Michaels gave an overview of the proposed Saguaros Viejos Subdivision that included the following:

- Conceptual Site Plan
- Neighborhood Concerns
- CDRB Discussion
- Summary/Recommendation

Paul Oland with WLB, representing the property owner, gave an overview of Saguaros Viejos.

Discussion ensued amongst Council, Mr. Oland and staff regarding the proposed Conceptual Site Plan for Saguaros Viejos subdivision.

The following individuals spoke in opposition of item #2:

- Oro Valley resident Bill Adler
- Oro Valley resident Tim Milbourn
- Oro Valley resident Sheila Stevens
- Oro Valley resident Tim Stevens
- Oro Valley resident Chet Oldakowski

Discussion ensued amongst Council and Mr. Oland regarding the proposed Saguaros Viejos subdivision.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Burns to approve the Conceptual Site Plan for the Saguaros Viejos residential subdivision subject to the conditions in Attachment 1, finding that the Conceptual Site Plan meets applicable Design Principles and Standards, and adding the conditions that Lots one (1), nine (9) and seventeen (17) be single story homes and the applicant work with Amphitheater School District and the Town of Oro Valley during construction improvements to minimize the impact on schools and traffic.

Attachment 1  
Conditions of Approval

Planning:

The Final Site Plan shall incorporate the following conditions:

1. Provide a natural surface trail within the wash confines along the full length of Common Area "F"
2. Provide a pedestrian easement between Lots 61 and 62 and/or Lots 63 and 64 to provide pedestrian connectivity to the recreation area.

Engineering:

3. Provide a traffic calming measure approved by the Town Engineer on the northern segment of Streets "A" and "B".
4. Provide an updated Traffic Impact Analysis that reflects current site and traffic conditions.

**MOTION** carried, 6-0.

**3. DISCUSSION AND POSSIBLE ACTION TO INITIATE THE 60-DAY PUBLIC NOTICE PROCESS FOR A FUTURE DISCUSSION REGARDING REVENUE OPTIONS**

Councilmember Garner spoke regarding the 60-Day Public Notice process for a future discussion regarding revenue options.

Discussion ensued amongst Council and staff regarding the 60-Day Public Notice Process for a Future discussion regarding revenue options.

No action was taken on item #3.

Mayor Hiremath recessed the meeting at 7:48 p.m.

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

Vice Mayor Waters joined the meeting by phone at 7:53 p.m.

**4. PUBLIC HEARING: LOCAL ALTERNATIVE EXPENDITURE LIMITATION ELECTION (HOME RULE OPTION)**

Finance Director Stacey Lemos gave an overview of the Local Alternative Expenditure Limitation Election (Home Rule Option):

- Expenditure Limitation History
- What is the State-Imposed Limitation
- Exclusions to the Limitation
- How do we compare
- Consequences of State-Imposed limitation

- Alternative Expenditure Limitation "Home Rule" Option
- Successful Voter Approval
- Primary Election Timeline August 26, 2014
- Questions

Mayor Hiremath opened the public hearing.

The following individual spoke in opposition of item #4:

Oro Valley resident John Musolf

The following individuals spoke in support of item #4:

Oro Valley resident Dick Johnson  
Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

### **RECESS REGULAR SESSION**

Mayor Hiremath recessed the Regular Session at 8:10 p.m.

### **CONVENE SPECIAL SESSION**

Mayor Hiremath convened the Special Session at 8:10 p.m.

### **CALL TO ORDER**

- 1. RESOLUTION NO. (R)14-27, A RESOLUTION OF THE TOWN OF ORO VALLEY PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION (HOME RULE OPTION)**

Councilmember Burns requested clarification from staff regarding inflation increases.

Finance Director Stacey Lemos clarified the causes of inflation increases.

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Hornat to approve Resolution No. (R)14-27, proposing an extension of the Local Alternative Expenditure Limitation.

**MOTION** carried, 7-0

Vice Mayor Waters left the meeting at 8:13 p.m.

### **ADJOURN SPECIAL SESSION**

Mayor Hiremath adjourned the Special Session at 8:13 p.m.

### **RECONVENE REGULAR SESSION**

Mayor Hiremath reconvened the Regular Session at 8:13 p.m.

### **FUTURE AGENDA ITEMS**

Councilmember Garner requested a Future Agenda Item to discuss and possibly give direction to staff for alternative projects not already budgeted in the Town Manager's FY 14/15 recommended budget.

### **CALL TO AUDIENCE**

Oro Valley resident Bill Adler was concerned with the Conceptual Site Plan process.

### **ADJOURNMENT**

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to adjourn the meeting at 8:16 p.m.

**MOTION** carried, 6-0.

Prepared by:

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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 16<sup>th</sup> day of April 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Julie K. Bower, MMC  
Town Clerk