

**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
March 18, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 5:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

**PRESENT:**

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

**EXCUSED:**

Satish Hiremath, Mayor  
Bill Garner, Councilmember

**EXECUTIVE SESSION** - Pursuant to ARS 38-431.03(A)(1), 38-431.03(A)(3) and 38-431.03(A)(4) in order to receive legal advice and consider its position and instruct the Town Attorney regarding the Town's position in pending litigation relating to communications about the El Conquistador Country Club purchase, contract negotiations regarding same and pending litigation involving Arrett & Lamonna v. Oro Valley and Merens filing

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to go into Executive Session at 5:01 p.m. pursuant to ARS 38-431.03(A)(1), 38-431.03(A)(3) and 38-431.03(A)(4) in order to receive legal advice and consider its position and instruct the Town Attorney regarding the Town's position in pending litigation relating to communications about the El Conquistador Country Club purchase, contract negotiations regarding same and pending litigation involving Arrett & Lamonna v. Oro Valley and Merens filing.

**MOTION** carried, 5-0.

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

**CALL TO ORDER**

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

## **ROLL CALL**

**PRESENT:** Lou Waters, Vice Mayor  
Brendan Burns, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**EXCUSED:** Satish Hiremath, Mayor  
Bill Garner, Councilmember

## **PLEDGE OF ALLEGIANCE**

Staff Sergeant Ethan Estey, member of the Arizona Army National Guard, led the audience in the Pledge of Allegiance.

## **UPCOMING MEETING ANNOUNCEMENTS**

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

## **COUNCIL REPORTS and Spotlight on Youth**

Councilmember Snider recognized Desaray Horner, 8th Grader at Coronado K-8, for setting a good example for her peers and being an inspiration to everyone around her.

Vice Mayor Waters reported that the Town Council attended the Naranja Park ribbon cutting ceremony on Saturday, March 14th, celebrating the new multi-sport fields and dog park.

## **DEPARTMENT REPORTS**

Parks and Recreation Director Kristy Diaz-Trahan reported that the AZ Distance Classic would be held on Sunday, March 22nd at 6:30 a.m.

## **ORDER OF BUSINESS**

Vice Mayor Waters said the agenda would stand as posted.

## **CALL TO AUDIENCE**

Staff Sergeant Ethan Estey said he was an Arizona Army National Guard recruiter recently assigned to the Town of Oro Valley and his mission was to play an active role in the community and assist in any way possible.

Oro Valley resident Shirl Lamonna said that her motives for opposing the proposed apartments at Tangerine and Rancho Vistoso Roads were previously misrepresented. Ms. Lamonna clarified that her reasons for opposition to the apartments were due to increased traffic and safety issues, increased class sizes at schools, unproven market demand for apartments, the need to retain commercial zoning for future services for the community and the inconsistency with Oro Valley's General Plan vision, goals and policies.

## **CONSENT AGENDA**

- A. Minutes - March 4, 2015
- D. Resolution No. (R)15-21, approving a financial participation agreement between the Town of Oro Valley and the Children's Museum Oro Valley
- E. Resolution No. (R)15-22, revision to the Stone Canyon II Final Plat for Lot 167 located at 1063 W. Tortolita Mountain Circle within Rancho Vistoso, Neighborhood 11, by removing a portion of the designated "no-build area" and allowing encroachment into 25% or greater slopes with appropriate mitigation as enabled in the Rancho Vistoso Planned Area Development
- F. Resolution No. (R)15-23, authorizing and approving an archery Shooting Range Development Grant Agreement between the Arizona Game & Fish Department and the Town of Oro Valley in the amount of \$5,000 for the purchase of materials to construct a shade canopy at the Naranja Park archery range

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Burns to approve Consent Agenda items (A) and (D)-(F).

**MOTION** carried, 5-0.

### **B. Fiscal Year 2014/15 Financial Update through January 2015**

Councilmember Zinkin requested clarification regarding the Fiscal Year 2014/15 Financial Update through January 2015.

Finance Director Stacey Lemos answered Councilmember Zinkin's questions.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to accept item (B).

**MOTION** carried, 5-0.

### **C. Request for approval of a Final Plat for Block 3 of the Maracay at Vistoso subdivision, located on the northwest corner of the Pebble Creek Drive and**

## La Canada Drive intersection

Councilmember Hornat introduced Paul Oland and his daughter.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Snider to accept item (C).

**MOTION** carried, 5-0.

## REGULAR AGENDA

### 1. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR APPROVAL OF A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN, AND USE OF THE RECREATION AREA IN-LIEU FEE OPTION FOR A 3-LOT SUBDIVISION LOCATED NORTH OF DESERT SKY ROAD, APPROXIMATELY ONE-QUARTER MILE WEST OF ORACLE ROAD

Senior Planner Michael Spaeth presented item #1 and outlined the following:

- Location Map
- Recreation Area
- Public Participation
- Summary and Recommendation

Ken Perry, representative for Perry Engineering, introduced himself and was present to answer questions.

The following individual spoke on item #1.

Oro Valley resident Carmel Bellamy

In response to Ms. Bellamy, applicant Tom Baily said that he would like to start the project as soon as he could.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to approve the requested Conceptual Site Plan, Landscape Plan and Recreation Area In-lieu Fee for the proposed 3-lot subdivision, subject to the condition listed in Attachment 1, finding that the request is consistent with the Design Review Principles and Standards of the Zoning Code.

Attachment 1  
Condition of Approval

### Planning Condition

1. Revise the Recreation Area In-lieu Fee proposal to the correct amount of \$8,022.00.

**MOTION** carried, 5-0.

**2. RESOLUTION NO. (R)15-24, APPROVING A ONE-TIME PAYMENT TO THE ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) TO ADDRESS THE INCREASING UNFUNDED LIABILITY OF THE PLAN**

Ms. Lemos presented item #2 and outlined the following:

- Overview of PSPRS Pension Plan
- Impact of Senate Bill 1609
- Oro Valley Unfunded Liability
- Oro Valley Unfunded Liability (Debt) History
- FY 2015/16 Employer Contributions

Discussion ensued amongst Council and staff regarding item #2.

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Hornat to approve Resolution No. (R)15-24, approving a one-time payment in the amount of \$300,000 to the Public Safety Personnel Retirement System in order to reduce the increased unfunded liability of the plan.

**MOTION** carried, 5-0.

**3. DISCUSSION AND POSSIBLE DIRECTION REGARDING TOPICS FOR A FUTURE STUDY SESSION ON SENIOR CARE USES**

Town Manager Greg Caton summarized the timeline of events that led to the placement of this item on tonight's agenda.

Principal Planner Chad Daines presented item #3 and outlined the following:

- Exterior to Building Topics
- Interior to Building Topics
- Possible Guidelines

Councilmember Zinkin said he would like to see different requirements for different senior care uses (i.e. Independent Living, Assisted Living, Memory Care etc.)

Councilmember Burns said he would like to review different requirements for different size facilities.

Councilmember Hornat said he was comfortable with utilizing the state standards and/or International Codes for interior regulations but Council should have purview over the outside of the building in each of the different categories of senior care. Councilmember Hornat further stated that he preferred to use the C.U.P. process for approval.

Councilmember Snider said that the interior regulations should be governed by the state standards and/or International Codes and that she would prefer to review exterior issues.

Councilmember Burns said he liked the C.U.P. approval process as well and that he would like to look at some interior topics but not necessarily safety related issues.

Vice Mayor Waters agreed that each category of senior care uses should have its own regulations.

Councilmember Snider and Vice Mayor Waters agreed that the Town should receive input not only from residents at senior care facilities, but management as well.

The Council agreed that an on-site study session would be beneficial.

### **FUTURE AGENDA ITEMS**

Councilmember Zinkin requested a future agenda item to be placed on the April 1st Council agenda to discuss possibilities for paying back General Fund contingencies, seconded by Councilmember Burns.

### **CALL TO AUDIENCE**

No comments were received.

### **ADJOURNMENT**

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to adjourn the meeting at 7:18 p.m.

**MOTION** carried, 5-0.

Prepared by:

---

Michael Standish, CMC  
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 18<sup>th</sup> day of March, 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