

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
June 17, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:01 p.m.

ROLL CALL

PRESENT:

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

ABSENT:

Brendan Burns, Councilmember, joined the meeting after the roll call (Via telephone)

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 and Spotlight on Youth

Vice Mayor Waters reviewed the mold remediation report conducted by Environmental Strategies, Inc. for the Town's Community and Recreation Center.

Vice Mayor Waters spoke about several events that were taking place at the Town's Community and Recreation Center. The first event was the "Meet the Architect Open House" scheduled for June 29, 2015. The second event was "pasta night" held at La Vista Restaurant every Thursday night. Vice Mayor Waters encouraged residents to call the restaurant at (520) 229-5355 for more information

Councilmember Hornat attended the Explorers training through the American Legion.

Councilmember Zinkin attended the National League of Cities Summer Leadership Forum in Salt Lake City, at which they discussed the Marketplace Fairness Act.

Councilmember Burns joined the meeting via telephone at 6:12 p.m.

Councilmember Snider attended the 19th Annual School Resource Officers Association Conference in Phoenix, at which the Oro Valley School Resource Officers Unit was recognized as the 2015 Model Agency of the Year.

Councilmember Hornat attended the Urban Land Institute in Scottsdale, at which various sign code issues were discussed.

Councilmember Snider recognized Ms. Jennifer Royer's former fourth grade class from Copper Creek Elementary School for their extensive accomplishments and contributions in getting state Senate Bill 1441 passed into law, declaring Copper as the Arizona State Metal.

DEPARTMENT REPORTS

Parks and Recreation Director Kristy Diaz-Trahan reported, since June 1st, there were 51 new memberships for the Community & Recreation Center. Ms. Diaz-Trahan said the Recreation Center had over 90 participants in the summer youth camps held at the center. Ms. Diaz-Trahan spoke about several programs that were offered at the Community & Recreation Center. Ms. Diaz-Trahan also announced Mr. Kevin Marts as the new Community & Recreation Facility Manager.

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

CALL TO AUDIENCE

Pima County resident Richard Hernandez spoke about the recall process and the Pima County tax increase.

Oro Valley resident Geri Ottoboni spoke about the Pima County property tax increase and was concerned with the proposed bond.

Oro Valley resident Stan Winetrobe spoke in support of Community Policing and the benefits of being proactive and having trust between the Police Department and the Community.

Oro Valley resident Sam Sepulveda spoke words of encouragement to the Council.

PRESENTATIONS

1. 2015 Summer Transportation Art by Youth update

Development and Infrastructure Services Assistant Director Aimee Ramsey introduced Hiro Tashima and James E. Butler as the artists to lead a team of 10 students in the development of art work near the entrance to Naranja Park.

Sophia Silva presented the sculpture that will be displayed near the entrance of Naranja Park and introduced the 10 student artists scheduled to work on the project.

2. Proclamation - Independents Week

Mayor Hiremath proclaimed June 27th through July 5, 2015 as Independents Week.

Lisette DeMars, representative of Local First Arizona, spoke regarding Independents Week.

CONSENT AGENDA

Councilmember Zinkin requested to remove items (B - C), and (G) from the Consent Agenda for discussion.

Councilmember Garner requested to remove item (F) from the Consent Agenda for discussion.

Councilmember Hornat requested to remove item (I) from the Consent Agenda for discussion.

A. Minutes - May 20 and June 3, 2015

D. Resolution No. (R)15-45, approving an Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (ADOR) related to uniform administration of the Town's Transaction Privilege Taxes (TPT)

E. Resolution No. (R)15-46, authorizing and executing a Right-of-Way License Agreement between the Town of Oro Valley and Zayo Group, LLC to allow telecommunication facilities within the Town's right-of-ways

H. Request for Conceptual Architecture approval for a pool building in the Maracay at Vistoso subdivision located at the Northern terminus of La Cañada Drive in Rancho Vistoso

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Consent Agenda items (A), (D), (E), and (H).

MOTION carried, 7-0.

B. Fiscal Year 2014/15 financial update through April 2015

Councilmember Zinkin asked for clarification on the projected revenues from the half cent sales tax.

Finance Director Stacey Lemos responded to Councilmember Zinkin regarding the half cent sales tax.

Councilmember Zinkin asked for clarification regarding the personnel vacancy savings.

Ms. Lemos clarified how the personnel vacancy savings were calculated.

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

MOTION carried, 7-0.

C. Resolution No. (R)15-44, approving an amended Final Plat for modification of a conservation easement and no build area in Stone Canyon II, lot 193, located at 1206 West Tortolita Mountain Circle

Councilmember Zinkin discussed his concern with the homeowner's request to add 680 square feet to his existing 7500 square foot home. In addition, Councilmember Zinkin believed this request was not consistent with the General Plan.

Planning Director Bayer Vella gave an overview of the applicants request and properties current site conditions.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny Resolution No. (R)15-44, denying OV1215-09, a plat amendment to modify the conservation easement and no build areas as shown in Attachment 2, based on the fact Councilmember Zinkin believes such a request is gluttony in addition to not being consistent with the General Plan in that hillsides and conservation districts will be torn down.

MOTION failed, 3-4 with Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat, and Councilmember Snider opposed.

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Snider to approve Resolution No. (R)15-44, approving OV1215-09, a plat amendment to modify the conservation easement and no build areas as shown in Attachment 2, based on the findings in the staff report.

MOTION carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

F. Resolution No. (R)15-47, authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County regarding payment for the incarceration of municipal prisoners

Councilmember Garner inquired if Pima County's FY 2015/16 incarceration fee increases were universally paid by all jurisdictions to Pima County at the same rate and if Oro Valley periodically verified the bill with Pima County.

Ms. Lemos stated that incarceration fees were paid universally by all jurisdictions to the County at the same rate. Ms. Lemos also clarified the auditing process for the monthly billing.

MOTION: A motion was made by Councilmember Garner and seconded by Vice Mayor Waters to approve Resolution No. (R)15-47, authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County regarding payment for the incarceration of municipal prisoners.

MOTION carried, 7-0.

G. Cancellation of the July 15, 2015 Regular Town Council Meeting

Councilmember Zinkin discussed the proposed cancellation of the July 15, 2015 Regular Town Council Meeting.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny the cancellation of the July 15th regular Town Council meeting.

MOTION failed, 3-4 with Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat, and Councilmember Snider opposed.

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Hornat to approve the cancellation of the July 15th regular Town Council meeting.

MOTION carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

I. Resolution No. (R)15-48, authorizing the Town Clerk to conduct a special recall election on November 3, 2015, as a consolidated election pursuant to A.R.S. § 16-204; and designating the election date, the deadline for voter registration and the place and last date for candidates to file nomination papers and approval of use of General Fund contingency reserves to pay for special election costs

Councilmembers Hornat, Snider and Vice Mayor Waters recused themselves from item (I).

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Zinkin to approve Resolution No. (R)15-48, authorizing the Town Clerk to conduct a special recall election on November 3, 2015, as a consolidated election pursuant to A.R.S 16-204; and designating the election date, the deadline for voter registration and the place and last date for candidates to file nomination papers. I further MOVE to approve the use of General Fund contingency reserves in the amount of \$30,000 to pay for the special election costs.

MOTION carried, 4-0.

REGULAR AGENDA

1. RESOLUTIONS AMENDING THE MAYOR AND COUNCIL WATER POLICIES AND THE FINANCIAL AND BUDGETARY POLICIES

A. RESOLUTION NO. (R)15-49, AMENDING THE TOWN OF ORO VALLEY TOWN COUNCIL WATER POLICIES FINANCE SECTION A.1.D. AND ADDING FINANCE SECTION A.1.G.

B. RESOLUTION NO. (R)15-50, AMENDING THE TOWN OF ORO VALLEY FINANCIAL BUDGETARY POLICIES SECTION C.3.

Discussion ensued amongst Council and Mr. Saletta.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Resolution No. (R)15-49, amending the Town of Oro Valley Mayor and Town Council Water Policies finance section A.1.d and adding finance section A.1.g.

MOTION carried, 7-0.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Resolution No. (R)15-50, amending the Town of Oro Valley Financial and Budgetary Policies section C.3.

MOTION carried, 7-0.

2. DISCUSSION AND POSSIBLE DIRECTION REGARDING A FISCAL YEAR 2015/16 BUDGET AMENDMENT FOR AN APPROPRIATION FROM THE GENERAL FUND FOR STEAM PUMP RANCH IN THE AMOUNT OF \$425,000 AND FROM THE HIGHWAY FUND FOR A NEW BACKHOE IN THE AMOUNT OF \$125,000

Discussion ensued amongst Council regarding item #2.

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Snider to direct staff to refund Steam Pump Ranch in the amount of \$425,000 from the General Fund, and to refund the new Backhoe in the amount of \$125,000 from the Highway Fund.

Discussion ensued amongst Council regarding item #2.

MOTION carried, 6-0. with Councilmember Garner abstaining.

FUTURE AGENDA ITEMS

Vice Mayor Waters requested a Future Agenda Item for Council to discuss Oro Valley water assurances in the context of the current and projected growth in Oro Valley, seconded by Councilmember Snider.

CALL TO AUDIENCE

Oro Valley resident Bill Adler spoke regarding the Council's responsibility pertaining to advisory board recommendations.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 7:37 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 17th day of June, 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