

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
APRIL 21, 2021
ONLINE ZOOM MEETING**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember

Absent: Josh Nicolson, Councilmember
Steve Solomon, Councilmember

PLEDGE OF ALLEGIANCE

Councilmember Bohen led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Town Clerk Mike Standish announced the upcoming Town meetings.

COUNCIL REPORTS

Councilmember Jones-Ivey recognized McKenna Manzo, a senior at Immaculate Heart High School, for her academic excellence and outstanding community service.

Councilmember Jones-Ivey encouraged the community to help support CDO High School's Project Graduation event.

Mayor Winfield recognized the Town's Finance Department for having received the Distinguished Budget Presentation Award from the Government Finance Officers Association.

Councilmember Greene provided a health update on Councilmember Solomon and also recognized and thanked Executive Assistant Diana Randall for Administrative Assistant day.

TOWN MANAGER'S REPORT

Town Manager Mary Jacobs reported the following information:

- Recognized the Finance Department for their Distinguished Budget Presentation Award
- Recognized the Town and Communities Administrative Professionals
- Provided an update on the Town Council Chamber remodel
- Provided an update on Oro Valley Spring surface treatments
- Status update regarding the former Vistoso Golf Course

ORDER OF BUSINESS

Mayor Winfield re-organized the agenda as follows: Regular Session item #6 would be continued to the May 5th Town Council meeting. All other agenda items would remain as posted.

Mayor Winfield provided the guidelines for participation in the Town Council's Regular Session Zoom meeting.

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Tonia Manzo thanked the Council on behalf of McKenna Manzo.

Oro Valley resident Devon Sloan spoke regarding the signs for the proposed Main Streets project.

PRESENTATIONS

1. Proclamation - Arbor Day

Mayor Winfield proclaimed Friday, April 30, 2021 to be Arbor Day in Oro Valley.

Parks and Recreation Director Kristy Diaz-Trahan accepted the proclamation.

CONSENT AGENDA

- A. Minutes - April 5 and April 7, 2021
- B. Resolution No. (R)21-11, authorizing and approving the Town of Oro Valley Public Works Transit Division Title VI Plan update
- C. Resolution No. (R)21-12, 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

- D. Resolution No. (R)21-13, adopting the FY 2021/22 - FY 2022/23 Town Council Strategic Leadership Plan

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Consent Agenda items (A) - (D).

Vote: 5 - 0 Carried

REGULAR AGENDA

1. RESOLUTION NO. (R)21-14, DISCUSSION AND POSSIBLE ACTION REGARDING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF ORO VALLEY (THE "TOWN") AND THE WESTWARD LOOK (THE "OWNER")

Town Manager Mary Jacobs presented item #1 and included the following:

- Tonight's Process and Order
- Benefits of Annexation
- Oro Valley Annexation History
- Pre-Annexation Development Agreement (PADA)
- PADA - Purpose and Summary of Major Provisions
- Summary of Major PADA Provisions (Cont.)
- Fiscal Impact to Town

Discussion ensued amongst Council and staff regarding item #1.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to adopt Resolution No. (R)21-14 regarding the Pre-Annexation and Development Agreement between the Town of Oro Valley and Westward Look Resort.

Discussion continued amongst Council and staff regarding item #1.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to adopt Resolution No. (R)21-14 regarding the Pre-Annexation and Development Agreement between the Town of Oro Valley and Westward Look Resort.

Vote: 4 - 1 Carried

OPPOSED: Councilmember Tim Bohen

2. PUBLIC HEARING: ORDINANCE NO. (O)21-02, DISCUSSION AND POSSIBLE ACTION EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF ORO VALLEY, ARIZONA, PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES, TITLE 9, CHAPTER 4, ARTICLE 7, AND AMENDMENTS THERETO, BY ANNEXING A CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING LIMITS OF THE TOWN OF ORO VALLEY KNOWN AS THE WESTWARD LOOK ANNEXATION AREA

Town Manager Mary Jacobs provided a brief overview of item #2 and included the following:

- Purpose
- Annexation Process
- Timeline and Next Steps

Mayor Winfield opened the public hearing.

The following individual spoke in opposition to item #2.

Jean Glatke

The following individual spoke in support of item #2.

President and CEO of the Oro Valley Chamber of Commerce and resident of Oro Valley Dave Perry

Mayor Winfield closed the public hearing.

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Ordinance No. (O)21-02, extending and increasing the corporate limits of the Town of Oro Valley, Arizona, pursuant to the provisions of Arizona Revised Statutes, Title 9, Chapter 4, Article 7, and amendments thereto, by annexing certain territory contiguous to the existing limits of the Town of Oro Valley, known as the Westward Look Annexation Area.

Discussion ensued amongst Council and staff regarding agenda item #2.

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Ordinance No. (O)21-02, extending and increasing the corporate limits of the Town of Oro Valley, Arizona, pursuant to the provisions of Arizona Revised Statutes, Title 9, Chapter 4, Article 7, and amendments thereto, by annexing certain territory contiguous to the existing limits of the Town of Oro Valley, known as the Westward Look Annexation Area.

Vote: 4 - 1 Carried

OPPOSED: Councilmember Tim Bohlen

3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING THREE ITEMS RELATED TO THE PROPOSED ANNEXATION AND FUTURE DEVELOPMENT OF THE WESTWARD LOOK RESORT PROPERTY LOCATED AT THE NORTHWEST AND NORTHEAST CORNERS OF INA ROAD AND WESTWARD LOOK DRIVE, EXTENDING NORTH TO THE EXISTING TOWN OF ORO VALLEY SOUTHERN BOUNDARY:

ITEM A: ORDINANCE NO. (O)21-03: TRANSLATIONAL ZONING FOR THE ENTIRE PROPERTY FROM PIMA COUNTY CR-1 (LARGE-LOT RESIDENTIAL) TO TOWN OF ORO VALLEY R1-36 (LARGE-LOT RESIDENTIAL), AS REQUIRED BY ARIZONA REVISED STATUTES 9-471.L UPON ANNEXATION OF THE SUBJECT PROPERTY (2003182)

ITEM B: RESOLUTION NO. (R)21-15: GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL-1 TO NEIGHBORHOOD COMMERCIAL/OFFICE FOR TWO PARCELS (22550021A AND 225500180) ENCOMPASSING APPROXIMATELY 4.84-ACRES LOCATED NEAR THE NORTHWEST CORNER OF THE INA ROAD AND WESTWARD LOOK DRIVE INTERSECTION (2002360)

ITEM C: ORDINANCE NO. (O)21-04: REZONING FROM R1-36 (LARGE-LOT RESIDENTIAL) TRANSLATIONAL ZONING TO PLANNED AREA DEVELOPMENT (PAD) FOR THE ENTIRE PROPERTY (2002361)

Planning Principal Planner Michael Spaeth presented item #3 and included the following:

- Purpose
- Key Considerations
- Item A - Transitional Zoning
- Item B - General Plan Amendment
- Item B - General Plan Amendment Criteria Analysis
- Item C - Rezoning
- Public Participation
- Planning and Zoning Commission
- Summary

Linda Morales of the Planning Center and representing the property owner continued the presentation and included the following;

- Westward Look Planned Area Development
- General Plan Designations
- Resort Gateway East Illustrative Concepts
- Resort Gateway West Illustrative Concepts
- Resort Gateway East Concept Revisions
- Resort Gateway East Concept B Revisions
- Resort Gateway West Concept B Revisions
- Eastern Property Boundary Section
- Western Property Boundary Section
- Proposed New Conditions

Mayor Winfield recessed the meeting at 8:04 p.m.

Mayor Winfield reconvened the meeting at 8:15 p.m.

Mayor Winfield opened the public hearing.

The following individuals spoke in support of items # 3A, 3B and 3C.

Oro Valley resident Bill Rodman
Dino Sakeller

The following individuals spoke in opposition of items # 3A, 3B and 3C.

Jon Rowley
Ranay Guifarro
Jean Glattkke

The following individuals spoke regarding items # 3A, 3B and 3C.

Bob Hagen
Matt Bailey

Mayor Winfield closed the public hearing.

General Manager of the Westward Look Resort, Andrew Stegen, joined the discussion on items # 3A, 3B and 3C.

Discussion continued amongst Council, staff, Ms. Morales and Mr. Stegen regarding items # 3A, 3B and 3C.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to approve Ordinance No. (O)21-03: the Translational Zoning from Pima County CR-1 to Town of Oro Valley R1-36, based on a finding the request is in conformance with State Law.

Vote: 5 - 0 Carried

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to approve Resolution No. (R)21-15: the General Plan Amendment from Low Density Residential - 1 to Neighborhood Commercial/Office, based on a finding the request is in conformance with Your Voice, Our Future General Plan.

Discussion ensued amongst Council and staff regarding item # 3B.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to approve Resolution No. (R)21-15: the General Plan Amendment from Low Density Residential - 1 to Neighborhood Commercial/Office, based on a finding the request is in conformance with Your Voice, Our Future General Plan.

Vote: 4 - 1 Carried

OPPOSED: Councilmember Tim Bohen

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to conditionally approve Ordinance No. (O)21-04: the rezoning from R1-36 to Planned Area Development based on a finding the request is in conformance with all applicable General Plan and Zoning Code requirements; The following conditions apply:

- Senior Care Facilities are prohibited within all Westward Look areas. Within the Section C. Proposed Land Uses section of the Westward Look PAD, add "Senior Care Facility" to the lists of "Prohibited Uses" within the "Resort Land Uses" and "Resort Gateway Land Uses".
- Revise Concept B and update all "PAD Development Regulations" to specify and illustrate a ninety foot minimum setback from the eastern Westward Look property line only for the building area labeled "Mixed Use Office/Casitas". Furthermore, the "Mixed Use Office /Casitas" buildings adjacent to the eastern property line may not exceed 28' and two stories in height or utilize balconies. Revise concepts A, B and C to show dumpster placement away from adjacent single-family homes.

Discussion ensued amongst Council and staff regarding item # 3C.

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to conditionally approve Ordinance No. (O)21-04: the rezoning from R1-36 to Planned Area Development based on a finding the request is in conformance with all applicable General Plan and Zoning Code requirements; The following conditions apply:

- Senior Care Facilities are prohibited within all Westward Look areas. Within the Section C. Proposed Land Uses section of the Westward Look PAD, add "Senior Care Facility" to the lists of "Prohibited Uses" within the "Resort Land Uses" and "Resort Gateway Land Uses".
- Revise Concept B and update all "PAD Development Regulations" to specify and illustrate a ninety foot minimum setback from the eastern Westward Look property line only for the building area labeled "Mixed Use Office/Casitas". Furthermore, the "Mixed Use Office /Casitas" buildings adjacent to the eastern property line may not exceed 28' and two stories in height or utilize balconies. Revise concepts A, B and C to show dumpster placement away from adjacent single-family homes.

Vote: 4 - 1 Carried

OPPOSED: Councilmember Tim Bohen

Mayor Winfield recessed the meeting at 9:24 p.m.

Mayor Winfield reconvened the meeting at 9:30 p.m.

4. 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

Mayor Winfield clarified the reason for requesting Regular agenda item #4.

Mayor Winfield opened the public hearing.

The following individuals spoke in support of item #4.

Oro Valley resident Rosa Dailey
Oro Valley resident Brian Hiatt
Oro Valley resident Andrew Beauto
Oro Valley resident Rich Molnar
Oro Valley resident Anna Clark
Oro Valley resident Tom Stegman
Oro Valley resident Richard Beam
Oro Valley resident Teresa Marrow
Oro Valley resident Amy Jones
Oro Valley resident Marc Enzor
Oro Valley resident Heidi Crosby
Oro Valley resident Jack Stinnett

The following individuals spoke in opposition of item #4.

Oro Valley resident Bill Rodman
Oro Valley resident Rob Wanczyk
Oro Valley resident Steve Jones
Oro Valley resident Jackie Katanik
Oro Valley resident Tony D'Angelo
Oro Valley resident Paul Byrne
Oro Valley resident Jerry Ward
Oro Valley resident Dan Tulsa
Oro Valley resident Niranjana Vescio
Oro Valley resident Jeanne Yermakov

The following individuals spoke regarding item #4.

Oro Valley resident David Newell

Mayor Winfield closed the public hearing.

Discussion ensued amongst Council and staff regarding item #4.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey that Ordinance No. (O)21-05 be continued to the May 5, 2021, Town Council meeting.

Discussion continued amongst Council and staff regarding item #4.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey that Ordinance No. (O)21-05 be continued to the May 5, 2021, Town Council meeting.

Vote: 5 - 0 Carried

5. SUBJECT TO APPROVAL OF AGENDA ITEM #4, 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

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene that item #5, discussion and possible action regarding the future use of the broadened 0.5% sales tax collections, be continued to the May 5th Town Council Meeting.

Vote: 5 - 0 Carried

6. DISCUSSION AND POSSIBLE ACTION ON RESUMING IN-PERSON COUNCIL MEETINGS OPEN TO THE PUBLIC AND RESTORING THE PUBLIC'S ZOOM MEETING ACCESS TO VIEW ALL PARTICIPANTS

This item was continued to the May 5, 2021 Town Council meeting.

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Joyce Jones-Ivey to adjourn the meeting at 10:43 p.m.

Vote: 5 - 0 Carried

Michelle Stine, MMC
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 21st day of April 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk