

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR AND STUDY SESSION
OCTOBER 18, 2023
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

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

ROLL CALL

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

EXECUTIVE SESSION

1. Pursuant to A.R.S. 38-431.03 (A)(3) and(A)(4) for legal advice and direction regarding Liebowitz v. Town of Oro Valley
2. Pursuant to A.R.S. 38-431.03 (A)(3) and (A)(4) for legal advice and direction regarding Lowe v. Town of Oro Valley

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:01 p.m., pursuant to A.R.S. 38-431.03 (A)(3) and(A)(4) for legal advice and direction regarding Liebowitz v. Town of Oro Valley, and pursuant to A.R.S. 38-431.03 (A)(3) and (A)(4) for legal advice and direction regarding Lowe v. Town of Oro Valley

Vote: 7 - 0 Carried

Mayor Winfield announced that the following staff would be joining Council in Executive Session: Town Manager Jeff Wilkins, Deputy Town Manager Chris Cornelison, Town Attorney Nathan Rothschild, Legal Services Director Tobin Sidles, Attorney from Humphry and Peterson, P.C., representing the Municipal Risk Pool, and Town Clerk Mike Standish.

RESUME REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield resumed the Regular Session 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
Josh Nicolson, Councilmember
Steve Solomon, Councilmember

1. DIRECTION TO ATTORNEYS FROM EXECUTIVE SESSION REGARDING THE LOWE V. TOWN OF ORO VALLEY CLAIM

There was no direction or discussion regarding this item.

2. DIRECTION TO ATTORNEYS FROM EXECUTIVE SESSION REGARDING THE LIEBOWITZ V. TOWN OF ORO VALLEY CLAIM

There was no direction or discussion regarding this item.

PLEDGE OF ALLEGIANCE

Mayor Winfield led the audience in the Pledge of Alligiance.

UPCOMING MEETING ANNOUNCEMENTS

Town Clerk Mike Standish announced the upcoming Town Meetings.

MAYOR AND COUNCIL REPORTS ON CURRENT EVENTS

Councilmember Jones-Ivey recognized Carson Castiglia, an eighth grader at Wilson K-8 School, for his academic excellence and community involvement.

Councilmember Bohen reported that he had attended the Sangha Yoga ribbon cutting event held on October 17, 2023. Councilmember Bohen also encouraged citizens to visit Sangha Yoga's new location at the Oro Valley Marketplace.

Councilmember Nicolson thanked the 162nd Air National Guard for providing him the opportunity to fly in an F16 airplane.

Mayor Winfield recognized Oro Valley Town Attorney Nathan Rothschild, for being a recipient of the Tucson Hispanic Chamber Of Commerce's 40 under 40 award.

Mayor Winfield also reported that he and Councilmember Greene had attended the Mother's Against Drunk Driving Tucson Honoring Heroes Recognition Banquet, where Officer Vanessa Molina was recognized for her work in the Oro Valley Community.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins reported the following information:

- The Friday Night Concert Series had begun. The band Steele Saguaros is scheduled to perform on October 27, 2023.
- Movies at the Ranch will show *October Sky* on October 21, 2023.
- A new *This is Oro Valley Pod Cast* is available on the Town's website titled *Building community at Stacks Book Club*. Other *This is Oro Valley Pod Casts* are available regarding *What's Happening in Parks*.
- Welcomed the following new businesses; Cold Beer and Cheeseburgers, Northwest Urgent Care, Northwest Primary Care, Oro Valley Spa, and The Bailey Veterinary Medical Center.

ORDER OF BUSINESS

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

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Tim Fagan voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

PRESENTATIONS

There were no presentation items.

CONSENT AGENDA

- A. Minutes - October 4, 2023

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Josh Nicolson to approve Consent item (A).

Vote: 7 - 0 Carried

REGULAR AGENDA

3. DISCUSSION, PUBLIC HEARING AND POSSIBLE ACTION ON PROPOSED ZONING CODE AMENDMENTS TO THE PRIVATE RECREATION AREA REQUIREMENTS FOR NEW RESIDENTIAL SUBDIVISIONS, MULTI-FAMILY, AND MIXED-USE DEVELOPMENTS

A. RESOLUTION NO. (R)23-38, DECLARING THE PROPOSED AMENDMENTS TO THE ORO VALLEY ZONING CODE CHAPTER 23, ZONING DISTRICTS, CHAPTER 26, PROVISIONS FOR RECREATION AREA, CHAPTER 31 DEFINITIONS AND OTHER RELATED SECTIONS IN ATTACHMENT 1 AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

B. PUBLIC HEARING: ORDINANCE NO. (O)23-04, PROPOSED CODE AMENDMENTS TO THE ORO VALLEY ZONING CODE CHAPTER 23, ZONING DISTRICTS, CHAPTER 26, PROVISIONS FOR RECREATION AREA, CHAPTER 31 DEFINITIONS AND OTHER RELATED SECTIONS

Motion by Mayor Joseph C. Winfield, **seconded by** Vice-Mayor Melanie Barrett to approve Resolution No. (R)23-38, declaring the proposed amendments to the Oro Valley Zoning Code in Attachment 1 and, as filed with the Town Clerk, a public record.

Vote: 7 - 0 Carried

Principal Planner Milini Simms presented item #3B and included the following:

- Guidance
- Research
- Additional guidance
- Guidance and objectives
- Consolidate private recreation areas
- Increase or establish the size of recreation areas
- Prioritize high-value private recreation areas
- Ensure high-quality amenities
- General Plan compliance
- Public participation
- Summary and Recommendation

Mayor Winfield opened the public hearing.

The following individuals spoke regarding item #3B

Oro Valley resident Shirl Lamonna
Oro Valley resident David Godlewski

Discussion ensued amongst Council and staff regarding the questions presented from the public speakers.

Mayor Winfield closed the public hearing.

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

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Tim Bohen to approve Ordinance (O)23-04, proposed code amendments to Chapter 23, Chapter 26, Chapter 31, and other related sections of the zoning code, except that table 26-1, Recreation Area Standards under apartments, shall add the language, "or 35% total open space, whichever is greater", and to strike the words; *decisions may be appealed to the Town Council* from section 26.5.C.1.E.4, based on the finding that this is in conformance with the General Plan and Strategic Leadership Plan.

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

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Tim Bohen to approve Ordinance (O)23-04, proposed code amendments to Chapter 23, Chapter 26, Chapter 31, and other related sections of the zoning code, except that table 26-1, Recreation Area Standards under apartments, shall add the language, "or 35% total open space, whichever is greater", and to strike the words; *decisions may be appealed to the Town Council* from section 26.5.C.1.E.4, based on the finding that this is in conformance with the General Plan and Strategic Leadership Plan.

Discussion continued amongst Council and staff regarding item #3B

Vice Mayor Barrett requested to amend the main motion to approve Ordinance (O)23-04, proposed code amendments to Chapter 23, Chapter 26, Chapter 31, and other related sections of the zoning code, and to strike the words; decisions may be appealed to the Town Council from section 26.5. C.1.E.4, based on the finding that this is in conformance with the General Plan and Strategic Leadership Plan, seconded by Councilmember Bohen.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Tim Bohen **FINAL MOTION AS AMENDED**, to approve Ordinance (O)23-04, proposed code amendments to Chapter 23, Chapter 26, Chapter 31, and other related sections of the zoning code, and to strike the words; decisions may be appealed to the Town Council from section 26.5.C.1.E.4, based on the finding that this is in conformance with the General Plan and Strategic Leadership Plan.

Vote: 5 - 2 Carried

OPPOSED: Councilmember Harry Greene
Councilmember Steve Solomon

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT OF THE REGULAR SESSION

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to adjourn the Regular Session at 7:33 p.m.

Vote: 7 - 0 Carried

STUDY SESSION

CALL TO ORDER

Mayor Winfield called the Study Session to order at 7:34 p.m.

STUDY SESSION AGENDA

1. DISCUSSION REGARDING TOWN OF ORO VALLEY SPONSORSHIP POLICIES FOR COMMUNITY EVENTS AND TOURISM EVENTS AND DELEGATIONS OF AUTHORITY THAT ALLOW THE TOWN MANAGER TO SIGN SPONSORSHIP AGREEMENTS

Community and Economic Development Director Paul Melcher presented Study Session item #1 and included the following:

- Why Sponsorship Policies?
- Sponsorship Policies: Tourism vs. Community Event
- Sponsorship Application Scoring: Tourism vs. Community Event
- Sponsorship Agreement Examples
- Proposed Signature Authority
- Future Agenda Item for Town Council Consideration
- Questions and Discussion

Discussion ensued amongst Council and staff regarding Study Session item #1.

Council provided comments and general direction to staff regarding the Town of Oro Valley Sponsorship Policies for community events, tourism events, and delegations of authority that allow the Town Manager to sign Sponsorship Agreements.

ADJOURNMENT

Mayor Winfield adjourned the Study Session at 8:15 p.m.

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 and study session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 18th day of October 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk