

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
JUNE 5, 2024
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

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
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember (Attended Via Zoom)
Josh Nicolson, Councilmember
Steve Solomon, Councilmember

Absent: Melanie Barrett, Vice-Mayor

PLEDGE OF ALLEGIANCE

Mayor Winfield led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Deputy Town Clerk Michelle Stine announced the upcoming Town Meetings.

MAYOR AND COUNCIL REPORTS ON CURRENT EVENTS

Councilmember Greene recognized three Basis Oro Valley High School students for winning the C-SPAN contest.

Councilmember Greene reported that an officer with the Oro Valley Police Department was recognized on Facebook for personally providing an elderly resident in need with food and supplies.

Mayor Winfield recognized Parks & Recreation Director Rosalyn Epting and her team for the wonderful Naranja Park ribbon cutting event. Mayor Winfield reported that all the new amenities at Naranja Park had been well received by the public.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins reported the following:

- The 50th Mural at the Oro Valley Aquatics Center incorporates new technology with QR code capability.
- Oro Valley 50 businesses for 50 years update.
- Provided a list of new businesses that had opened in Oro Valley.
- Oro Valley Community events to be held in June:
 - Movies on the Lawn
 - Pusch Ridge disc golf
 - Roundup at the Ranch 5K
 - Oro Valley Fourth of July event
- Oro Valley Police Chief Kara Riley had just passed 20 years of service with the Town.

ORDER OF BUSINESS

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

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Mike Zinkin voiced his concerns regarding budgetary spending on turf related projects and requested beautification of the fifth hole at the El Conquistador Golf Course.

Oro Valley resident Rob Wanczyk, president of Cañada Hills Homeowners Association, voiced his concerns regarding the condition of the golf course relating to dead vegetation and potential health issues in the tee box areas and near the fifth hole.

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

Mayor Winfield requested that Town Manager Jeff Wilkins have staff look into hole five at the El Conquistador Golf Course and make recommendations to the Town Council as to what actions are needed.

PRESENTATIONS

1. Presentation and possible discussion of the Town's FY 23/24 Quarterly Financial Update through March 2024

Deputy Finance Director Wendy Gomez provided a presentation which included the following:

- Overview/reminders
- Highlights
- General Fund
- General Fund Revenues - Year to Date
- General Fund Uses - Year to Date
- Highway Fund

- Highway Fund Sources - Year to Date
- Highway Fund Expenditures - Year to Date
- Community Center Fund
- Community Center Fund Revenues - Year to Date
- Community Center Fund Uses - Year to Date

Discussion ensued amongst Council and staff regarding the Town's FY 23/24 Quarterly Financial Update through March 2024.

CONSENT AGENDA

- A. Minutes - May 1, May 8, and May 9, 2024
- B. Resolution No. (R)24-16, authorizing the Chief of Police to sign and enter into, on behalf of the Town, an Intergovernmental Agreement (IGA) between the City of Tucson and the Town of Oro Valley for the funding of 9-1-1 services
- C. Resolution No. (R)24-17, authorizing the Water Utility Director to sign and enter into, on behalf of the Town, a Water Conservation Grant Fund Agreement between the Town of Oro Valley and the Water Infrastructure Finance Authority of Arizona to receive a grant in the amount of \$1,638,383.06 to be applied towards the Northwest Recharge Recovery & Delivery System Project (NWRDRS)

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Consent agenda items (A) through (C).

Vote: 6 - 0 Carried

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING TWO ITEMS RELATED TO THE EXPANSION OF AN EXISTING SELF-STORAGE AND ACCESSORY VEHICLE STORAGE USE, AND A PATH TO COMPLIANCE FOR A LEGAL NON-CONFORMING USE SOUTHEAST OF ORACLE ROAD AND HARDY ROAD. THE ITEMS INCLUDE:

ITEM A: RESOLUTION NO. (R)24-18, TYPE 2 GENERAL PLAN AMENDMENT AMENDING THE LAND USE MAP DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO COMMUNITY/REGIONAL COMMERCIAL (2300543)

ITEM B: ORDINANCE NO. (O)24-06, REZONING FROM C-1 AND C-2 ZONING TO PLANNED AREA DEVELOPMENT (2300553)

Mayor Winfield opened the public hearing.

No comments were received.

Mayor Winfield closed the public hearing.

Senior Planner Kyle Packer provided a presentation which included the following:

- Purpose
- Location
- History
- Expired Development Plan
- Propsed Site Plan
- Item A: Type II General Plan Amendment

- Item B: Rezone to Planned Area Development (PAD)
- Item B: Proposed Site Plan - Oracle Rd Scenic Corridor Overlay
- Public Participation
- General Plan Conformance Analysis
- Summary and Recommendation

Mr. Jon Gillespie, attorney with Rose Law Group, provided a presentation which included the following:

- Development Team
- Aerial Exhibit
- Existing Conditions
- Zoning Map
- C-1 By-Right Allowed Uses
- Existing Residential & Business Market Study
- Who uses Storage?
- Conceptual Site Plan
- Landscape Plan
- Architecture (Looking East from Oracle Road)
- Preserving Views
- Screening and Wall
- Continued Operation
- Public Participation and Changes to Site Plan
- Oro Valley General Plan Your Voice, Our Future, Vision and Guiding Principles

Discussion ensued amongst the Council and staff regarding Item #1.

Motion by Councilmember Steve Solomon, **seconded by** Mayor Joseph C. Winfield to approve Resolution No. (R)24-18, for the General Plan Amendment from Neighborhood Commercial/Office to Community/Regional Commercial, based on the finding the request is in conformance with the *Your Voice, Our Future* General Plan.

Vote: 6 - 0 Carried

Discussion continued amongst Council, staff and Mr. Gillespie regarding item #1.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to conditionally approve Ordinance No. (O)24-06, for the rezoning from C-1 and C-2 to Planned Area Development, subject to the conditions of approval in Attachment 1, based on the finding the request is in conformance with all applicable General Plan and Zoning Code requirements.

Conditions of Approval

1. Customer access to the facility shall be limited to 6:00am - 10:00pm
2. The following apply to the self-storage use:
 - a. Outdoor storage is restricted to vehicle storage in areas designated on the site plan only.
 - b. No business shall be conducted from within individual self-storage units.
 - c. No hazardous materials may be stored on site.
 - d. No motor vehicles, trailers, equipment or any device in, on or by which a person or property is or may be transported or drawn shall be offered for rent associated with the self-storage use.
 - e. Excluding the first-floor self-storage office; interior signs, advertisements, corporate colors and graphics, and other items as determined by the Planning and Zoning Administrator shall not be visible from the exterior of the building.
3. Within Area 1: if the Existing Facility, or any portion of it, is put to new use, or 25% or greater building area is removed to make way for new construction, that portion of Area 1 shall revert to the standard underlying C-2 zoning and applicable Oracle Road Scenic Corridor Overlay District requirements.

4. For the proposed new two-story Self-Storage facility within Area 2, the grading plan must indicate reasonable use of the maximum cut depth below natural grade allowed per Section 27.9, to minimize view impacts to neighbors east of this facility. The extent of cut and fill to achieve this objective is subject to Town Engineer and Planning & Zoning Administrator approval.

5. The use of generators associated with any vehicle storage use is prohibited.

6. The overlapping tree canopy shown in the rezoning narrative landscape concept plan shall be required. Along the eastern property line, trees provided must be a minimum of 36" box, and species are limited to those that will provide a full canopy at maturity, such as mesquite trees.

Discussion continued amongst Council, staff and Mr. Gillespie regarding item #1.

Councilmember Solomon suggested an amendment to the main motion to insert a period after the word "box" in the last sentence found in item number six of the Conditions of Approval, and striking "and species are limited to those that will provide a full canopy, such as mesquite trees", found in the same sentence.

Mayor Winfield accepted the amendment to the main motion, seconded by Councilmember Greene.

Motion by Mayor Joseph C. Winfield, seconded by Councilmember Harry Greene FINAL MOTION AS AMENDED, to approve Ordinance No. (O)24-06, for the rezoning from C-1 and C-2 to Planned Area Development, subject to the conditions of approval in Attachment 1, striking "and species are limited to those that will provide a full canopy of maturity such as mesquite trees".

Conditions of Approval

1. Customer access to the facility shall be limited to 6:00am - 10:00pm

2. The following apply to the self-storage use:

- a. Outdoor storage is restricted to vehicle storage in areas designated on the site plan only.
- b. No business shall be conducted from within individual self-storage units.
- c. No hazardous materials may be stored on site.
- d. No motor vehicles, trailers, equipment or any device in, on or by which a person or property is or may be transported or drawn shall be offered for rent associated with the self-storage use.
- e. Excluding the first-floor self-storage office; interior signs, advertisements, corporate colors and graphics, and other items as determined by the Planning and Zoning Administrator shall not be visible from the exterior of the building.

3. Within Area 1: if the Existing Facility, or any portion of it, is put to new use, or 25% or greater building area is removed to make way for new construction, that portion of Area 1 shall revert to the standard underlying C-2 zoning and applicable Oracle Road Scenic Corridor Overlay District requirements.

4. For the proposed new two-story Self-Storage facility within Area 2, the grading plan must indicate reasonable use of the maximum cut depth below natural grade allowed per Section 27.9, to minimize view impacts to neighbors east of this facility. The extent of cut and fill to achieve this objective is subject to Town Engineer and Planning & Zoning Administrator approval.

5. The use of generators associated with any vehicle storage use is prohibited.

6. The overlapping tree canopy shown in the rezoning narrative landscape concept plan shall be required. Along the eastern property line, trees provided must be a minimum of 36" box., ~~and species are limited to those that will provide a full canopy at maturity, such as mesquite trees.~~

Vote: 6 - 0 Carried

2. PUBLIC HEARING: RESOLUTION NO. (R)24-19, AUTHORIZING AND APPROVING AN INCREASE TO THE POTABLE WATER BASE RATES, INCREASE TO THE POTABLE WATER COMMODITY RATES AND AN INCREASE TO THE POTABLE GROUNDWATER PRESERVATION FEE FOR THE TOWN OF ORO VALLEY WATER UTILITY

Mayor Winfield opened the public hearing.

No comments were received.

Mayor Winfield closed the public hearing.

Water Utility Director Peter Abraham provided a presentation which included the following:

- Water Utility is an Enterprise Fund
- Water Rates Analysis Process, Goals & Assumptions
- Proposed Potable Water Rates & Fee Recommendations
- Proposed Potable Water Rates & Fees
- Potable Water Cost Comparisons
- Recommendation for approval

Discussion ensued amongst Council and staff regarding item #2.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No.(R)24-19, authorizing and approving an increase to the potable water base rates, an increase to the potable water commodity rates and an increase to the potable groundwater preservation fee.

Vote: 5 - 1 Carried

OPPOSED: Councilmember Tim Bohlen

3. PUBLIC HEARING: RESOLUTION NO. (R)24-20, DISCUSSION AND POSSIBLE ACTION REGARDING THE ADOPTION OF THE TENTATIVE BUDGET FOR FY 2024/25

Mayor Winfield opened the public hearing.

No comments were received.

Mayor Winfield closed the public hearing.

Chief Financial Officer David Gephart provided a presentation which included the following:

- Five Year Forecast - Pessimistic
- Five Year Forecast - Optimistic
- Personnel
- FY 24/25 Tentative Budget
- Estimated Ending Fund Balances
- 24/25 Tentative Budget \$151,210,253 by category/function
- FY 24/25 Tentative General Fund Budget \$53,102,838 by category/function
- FY 24/25 Sources: \$151,210,253
- FY 24/25 Capital Improvement Program: \$52,150,076

Mayor Winfield recessed the meeting at 8:06 p.m.

Mayor Winfield reconvened the meeting at 8:21 p.m.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No. (R)24-20, adopting the Tentative Budget for FY 2024-25 with the following conditions: eliminate the Pusch Ridge turf reduction of \$75,000 from the CIP and the funds be returned to the Community Center Fund, and the Town Council will determine the purpose and use of the Vistoso Trails Nature Preserve maintenance facility before funds to repair the roof are allocated.

Discussion ensued amongst Council and staff regarding item #3.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve Resolution No. (R)24-20, adopting the Tentative Budget for FY 2024-25 with the following conditions: eliminate the Pusch Ridge turf reduction of \$75,000 from the CIP and the funds be returned to the Community Center Fund, and the Town Council will determine the purpose and use of the Vistoso Trails Nature Preserve maintenance facility before funds to repair the roof are allocated.

Vote: 5 - 1 Carried

OPPOSED: Councilmember Tim Bohen

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to adjourn the meeting at 8:46 p.m.

Vote: 6 - 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 5th day of June 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk