

**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
October 20, 2010  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

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

**CALL TO ORDER** - At 5:00 p.m.

**ROLL CALL**

**PRESENT:** Satish Hiremath, Mayor  
Bill Garner, Vice Mayor  
Barry Gillaspie, Councilmember (arrived at 5:06 p.m.)  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Steve Solmon, Councilmember  
Lou Waters, Councilmember

**EXECUTIVE SESSION**

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Waters to go into Executive Session at 5:00 p.m. to receive legal advice regarding Ventana Medical Systems, Inc., a member of the Roche Group, Financial Participation Agreement pursuant to ARS 38-431.03(A)(3).

**MOTION** carried, 6-0.

Mayor Hiremath stated that the following staff members would join Council in Executive Session: Assistant Town Manager Stacey Lemos, Town Attorney Tobin Rosen, Town Clerk Kathryn Cuvelier, Economic Development Manager Amanda Jacobs, and Development and Infrastructure Services Director Suzanne Smith.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Garner to go out of Executive Session at 5:20 p.m.

**MOTION** carried, 7-0.

**RESUME REGULAR SESSION**

**CALL TO ORDER** - At 6:00 p.m.

**ROLL CALL****PRESENT:**

Satish Hiremath, Mayor  
Bill Garner, Vice Mayor  
Barry Gillaspie, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Steve Solmon, Councilmember  
Lou Waters, Councilmember

**PLEDGE OF ALLEGIANCE** - Councilmember Waters led the audience in the pledge of allegiance.

**UPCOMING MEETING ANNOUNCEMENTS** - Communications Specialist Kelsie Hanson announced the upcoming Town meetings.

**COUNCIL REPORTS**

Councilmember Snider reported that on Friday, October 15th, the Town held their first Economic Summit. The Town Council met with 37 large and small business owners, education leaders, and citizens to discuss the priorities of the community.

Councilmember Gillaspie thanked Town Manager Jerene Watson, Economic Development Manager Amanda Jacobs, Development and Infrastructure Services Director Suzanne Smith, Interim Assistant Town Manager Stacey Lemos, and Town Attorney Tobin Rosen for all of their hard work and guidance in bringing Ventana Medical Systems Inc., a member of the Roche Group, to Oro Valley. This addition will create roughly 500 jobs and have an approximate 640 million dollar impact on southern Arizona.

Councilmember Gillaspie also thanked the Tucson Regional Economic Opportunities Inc. (TREO) for their coordination and technical leadership throughout the entire process.

Councilmember Hornat thanked Councilmember Gillaspie and Mayor Hiremath for their tireless efforts in bringing Ventana Medical Systems to Oro Valley.

Councilmember Solomon thanked the Police Department for all of their efforts in obtaining the five grant items listed on the Consent Agenda.

**DEPARTMENT REPORTS**

No reports received.

**ORDER OF BUSINESS**

Mayor Hiremath stated that the order will stand as is.

### **CALL TO AUDIENCE**

Oro Valley resident Mr. John Musolf stated that he was concerned with policy setting by Town staff with limited Council oversight regarding the approval of an extra paid holiday on December 24th and December 31st for Town staff.

Mr. Musolf also stated that he would like the Town Code changed to state that two Councilmembers and the Mayor shall be present when setting the Town Council agenda so that the power remains with the Council.

Oro Valley resident Mr. Don Bristow stated that he was concerned about the sign code revision process. Mr. Bristow stated that the Oro Valley General Plan creates barriers which should be preserved and followed regarding signage. Mr. Bristow said that the sign code should balance citizen concerns with the needs of business, create standards for signage with least intrusive signage possible, and prevent over concentration, improper placement, excessive size, and clutter of signs.

Oro Valley resident Mr. Bill Adler stated that the suggestions listed as vital at the Economic Summit are already incorporated in the General Plan and the Strategic Plan. Mr. Adler stated that the financial stability of the Town revolves around revenue and if the residents of Oro Valley would like to sustain the same level of services that they have become accustomed to, the Town should look into the possibility of raising taxes.

### **PRESENTATIONS**

- a. TONY PENN, PRESIDENT AND CEO OF UNITED WAY OF TUCSON AND SOUTHERN ARIZONA SINCE JULY 2010, WILL DELIVER A BRIEF PRESENTATION TO THE TOWN COUNCIL

Mr. Tony Penn, President and CEO of United Way of Tucson and southern Arizona, gave a brief presentation regarding the United Way.

Mr. Penn stated that the United Way advances the common good by creating opportunities for a better life for all by focusing on three main strategic objectives: Education, Income, and Health.

The United Way of Tucson and southern Arizona is made up of more than 70 partner agencies who have served more than 100,000 people in 2009. Within the Town of Oro Valley, the United Way has assisted nine child care centers, two family childcare homes, and served over 500 children and their families. The United Way also has two Volunteer Income Tax Assistance sites within Oro

Valley that have completed returns for 231 families, thus returning \$350,000 to the economy.

The United Way offers programs that teach financial literacy such as:

- Financial Literacy Program
- Balancing your checkbook
- Starting a savings account
- Buy savings bonds

Mr. Penn thanked the Council for partnering with the United Way and is looking forward to a great campaign this year.

b. PROCLAMATION DECLARING THE WEEK OF OCTOBER 25 - 29, 2010  
AS 2010 ARIZONA CITIES AND TOWNS WEEK

Mayor Hiremath declared the week of October 25-29, 2010 as 2010 Arizona Cities and Towns week.

c. PROCLAMATION DECLARING OCTOBER 20, 2010 AS ROTARY DAY IN  
ORO VALLEY TO ORO VALLEY ROTARY CLUB PRESIDENT TERE  
BERGMAN

Mayor Hiremath presented a proclamation to Rotary Club President Tere Bergman declaring October 20, 2010 as Rotary day in Oro Valley.

d. PRESENTATION REGARDING QUARTERLY GOLD STAR AWARD  
RECIPIENTS

Town Clerk Kathryn Cuvelier announced the quarterly Gold Star award recipients. The Gold Star award went to: Hector Alvarado, Craig Civalier, Lynn Garcia, Brian Garrity, Daniel Gonzales, Bob Greer, Nate Hall, Tim Hardin, John Hutchinson, Mike Juarez, Jason Larter, Steve Puig, Shawn Ricksecker, Jason Rivas, Ray Rodriguez, Suzanne Smith, Glen Spiker, Mike Stephens, John Teachout, Charlie Tegeler, Mike Todnem, Phil Trenary, Kevin Verville, Mary Rallis, Betty Dickens, Stacey Lemos, Wendy Gomez, Art Cuaron, Arinda Asper, Tim McGuire, Vicki Posler, Heidi Kinwald, Julie Smiley, Scott Nelson, and Amanda Jacobs.

## 1. CONSENT AGENDA

Vice Mayor Garner requested that items (F) and (J) be removed from the Consent Agenda to be voted on separately.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Councilmember Hornat to approve the Consent Agenda with the exception of items (F) and (J).

**MOTION** carried, 7-0.

- A. Minutes - September 8, 15, and 21, 2010
- B. Fiscal Year 2010/11 Financial Update through August 2010
- C. Police Department - August 2010 Statistics
- D. Resolution No. (R)10-70 Authorizing and Approving a High Intensity Drug Trafficking Area (HIDTA) Grant Agreement between the City of Tucson and the Town of Oro Valley, allowing for one (1) Officer to be assigned to the Pima County HIDTA Investigative Task Force
- E. Resolution No. (R)10-71 Authorizing and Approving an Intergovernmental Agreement between the Town of Oro Valley and the Regional Transportation Authority of Pima County for Calle Concordia Bike Lanes From Calle Buena Vista to Calle Loma Linda
- G. Resolution No. (R)10-73 Authorizing and Approving a Subgrantee Agreement Between the Town of Oro Valley and the Arizona Department of Homeland Security for Purchasing Equipment for Enhanced Telecommunication for the Oro Valley Police Department's Terror Liaison Officer
- H. Resolution No. (R)10-74 Authorizing and Approving a Subgrantee Agreement Between the Town of Oro Valley and the Arizona Department of Homeland Security to Fund the Tucson Urban Area Security Initiative (TUASI) Regional Emergency Operations Center Equipment Initiative
- I. Resolution No. (R)10-75 Authorizing and Approving a Subgrantee Agreement Between the Town of Oro Valley and the Arizona Department of Homeland Security to Continue Funding a Full Time Oro Valley Police Department Planner for the Tucson Urban Area Security Initiative (TUASI) Regional Planning Cooperative
- K. Ratification of letter confirming that Craig Civalier, Town Engineer for the Town of Oro Valley, is hereby authorized to sign on behalf of the Town of Oro Valley the ADOT 5310 contract and take possession of the awarded grant funded vehicles.
- L. Cancellation of November 3, 2010 and December 15, 2010 Regular Town Council meetings
- M. \*Resolution No. (R)10-77 Authorizing and approving a Financial Participation Agreement between the Town of Oro Valley and Ventana

Medical Systems, Inc., a member of the Roche Group

- N. \*Amending the 2010 Town Council Liason Assignments by adding Liaisons to Imagine Greater Tucson and Arroyo Grande Annexation Team

- F. **Resolution No. (R)10-72 Authorizing and Approving a Subgrantee Agreement Between the Town of Oro Valley and the Arizona Department of Homeland Security to Purchase Air Cards to Enhance Communication for the Oro Valley Police Department's Terror Liaison Officer (PULLED FOR DISCUSSION)**

Vice Mayor Garner asked why the aircards were being purchased and how many of the aircards were requested.

Police Chief Daniel Sharp stated that fifty aircards have been requested and that the aircards will be issued to the Terror Liaison Officers (TLO) in the southern Arizona region in order to assure communication between the TLO's.

**MOTION:** A motion was made by Councilmember Solomon and seconded by Councilmember Waters to approve Resolution No. (R)10-72.

**MOTION** carried, 7-0.

- J. **Resolution No. (R)10-76 Declaring As A Public Record That Certain Document Entitled Chapter 10, Offenses, Article 10-6, Anti-Graffiti, Attached hereto as Exhibit "A" and filed with the Town Clerk; and declaring an emergency, immediately making the amendments a public record (PULLED FOR DISCUSSION)**

Vice Mayor Garner asked for clarification as to why item (J) was listed with an emergency clause.

Town Clerk Kathryn Cuvelier stated that the Town saves money by not having to publish all of the amendments in the newspaper and that in order for the amendments to become effective immediately, an emergency must be declared.

**MOTION:** A motion was made by Vice Mayor Garner and seconded by Councilmember Snider to approve Resolution No. (R)10-76.

**MOTION** carried, 7-0.

2. **PUBLIC HEARING - ORDINANCE NO. (O)10-12 ADOPTING A NEW ORO VALLEY TOWN CODE CHAPTER 10, OFFENSES, ARTICLE 10-6, ANTI-GRAFFITI, AND REPEALING THE CURRENT ARTICLE 10-6.**

Acting Town Engineer Paul Keesler gave a brief overview of the revised graffiti ordinance. The revised graffiti ordinance is intended to:

- Expedite the process of graffiti removal
- Increase penalties from \$25 to \$100
- Include residential properties in the prevention provisions

Discussion ensued between the Council regarding the proposed changes to the graffiti ordinance.

Police Chief Daniel Sharp stated that there has been a rise in graffiti over the last couple of years and the new proposed graffiti ordinance will help to stop the spread of graffiti by eliminating it quickly.

Vice Mayor Garner proposed using cameras in areas with a high concentration of graffiti.

Mayor Hiremath opened the public hearing.

Oro Valley resident Mr. Harold Adair stated that the Town has been doing a great job with cleaning up the graffiti but the problematic areas include Arizona Department of Transportation (ADOT) and State land.

Mayor Hiremath closed the public hearing at 7:26 p.m.

**MOTION:** A motion was made by Councilmember Gillaspie and seconded by Vice Mayor Garner to approve Ordinance No. (O)10-12 and directed staff to continue with revising sections 6-3, 6-4, 6-8.

**MOTION** carried, 7-0.

### **3. DISCUSSION AND POSSIBLE ACTION REGARDING ORO VALLEY MUNICIPAL POOL HOURS OF OPERATION**

Aquatics Manager Catherine Atalla gave a brief presentation regarding the municipal pool hours of operation. Topics covered included:

- Budget reduction
- Reduced pool hours
- Creation of Innovations Team's Solution Squad and Pool Users Working Group
- Aquatics Facility Action Plan
- Recommendations

Discussion ensued between the Council regarding:

- Pool rates and usage
- New revenue generating programs
- Pool feasibility study

Oro Valley resident Mr. John Musolf asked why the pool was closed from 9:00 a.m. to 3:00 p.m., Monday through Friday, after a reduction in lifeguard staff of .65.

Parks, Recreation, Cultural Resources & Library Director Ms. Legner stated that the reduction of .65 lifeguards was made this year because last fiscal year, the Town made all of the operational reductions that they possibly could in the aquatics division. The only thing left to cut was staff hours.

Oro Valley resident Ms. Helen Cates stated that she is concerned over the limited pool hours. The pool is well used and she would like to see the pool hours increased.

Oro Valley resident Ms. Margaret Mothersead stated that she would like to see the pool hours extended. The pool site is beautiful and is one of the things that makes Oro Valley special.

Discussion ensued between the Council regarding the amount of lifeguards needed to safely manage the pool and effectively run the pool operations.

**MOTION:** A motion was made by Councilmember Solomon and seconded by Councilmember Gillaspie to approve the recommendation of increasing the pool hours two hours per day with a friendly amendment to re-evaluate the financial position of the pool in three and six months.

**MOTION** carried, 7-0.

#### **4. CONSIDERATION AND POSSIBLE ACTION REGARDING NARANJA PARK (TOWN SITE) OPTIONS**

Parks, Recreation, Cultural Resources & Library Director Ainsley Legner gave a brief overview of the the Naranja Park options.

- There is \$258,000 available in the Naranja Park Fund for projects/improvements
  - Project should be low or no maintenance
  - Parks and Recreation Advisory Board recommended using the money for one large item
  - Staff recommendations
    - Landscaping on eastern ridge
- Develop proposals for:
- 18 Hole Disc Golf Course
  - Archery Park



Mr. Gerry Perry stated that archery is a fast growing sport in the community. The walk around archery course can be designed in a very safe manner with minimal impact to the environment.

Discussion ensued between Council regarding the proposed disc golf course, archery park and the recommended landscaping on the eastern ridge.

Oro Valley resident Ms. Lyra Done stated that she has worked on the Naranja Town site since the land was purchased. Ms. Done stated that there can be signature archery events at the park site since there is a demand for archery in the community.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Solomon to direct staff to develop proposals for the 18 hole disc golf course and the archery park and to exclude the landscaping along the eastern ridge.

**MOTION** carried, 7-0.

## 5. FUTURE AGENDA ITEMS

There were no requests.

## CALL TO AUDIENCE

No comments were received.

## ADJOURNMENT

**MOTION:** A motion was made by Councilmember Waters and seconded by Councilmember Hornat to adjourn the meeting at 8:37 p.m.

**MOTION** carried, 7-0.


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 20<sup>th</sup> day of October 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12 day of January, 2011.

  
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Kathryn E. Cuvelier, CMC  
Town Clerk