



**CITY OF SCOTTSDALE
MCDOWELL SONORAN PRESERVE COMMISSION
SPECIAL MEETING MINUTES
Thursday, October 21, 2021
Meeting held electronically**

PRESENT: Chairperson Cynthia Wenstrom, Vice-Chair Laurie LaPat-Polasko, Commissioners Steve Coluccio, Mark Hackbarth, Marsha Lipps, and Kerry Olsson

ABSENT: Commissioner Jeffrey Smith

STAFF: Kroy Ekblaw, Preserve Director; Scott Hamilton, Preserve Manager

1. CALL TO ORDER

Chair Wenstrom called the meeting to order at 5:00 p.m.

2. ROLL CALL

Members present as noted above.

3. PUBLIC COMMENT

There were no public comments submitted.

4. PRESERVE TAX STATUS

Mr. Ekblaw said that the City Treasurer is scheduled to give a presentation on the status of the Preserve Taxes during the November 3, 2021 meeting.

5. POLICY PROCESS UPDATE

- A. Policy Item #2. Follow-up to Commission questions from October 14 regarding items 2.A-2.F.

Mr. Ekblaw said that staff is preparing responses to questions posed during the October 14th meeting. He will follow up with each Commissioner individually to ensure that he has a complete understanding of what the questions were and will be prepared to give responses to those questions during the November 3rd and 18th meetings.

Commissioners were given an opportunity to ask questions. Mr. Ekblaw said that research is being done regarding examples of how other entities similar to the Preserve handle their cost projections. He noted they are not finding agencies that do what the Preserve does. With the example of Invasive Plant Management, many agencies take a reactive approach, and there are very few that take the same proactive approach with cost projections as the City of Scottsdale is currently exploring. Mr. Owen said that they have done significant research, have not found

municipalities with similar models, but have found federal resources that can be used and he would come back to the Commission to review. Mr. Hackbarth suggested that someone contact Pima County as he has done work with them on this and they have experience with it.

B. Policy Item #1. Land Acquisition priorities

Mr. Ekblaw gave an update on land acquisition priorities. His presentation included a review of the current status of land acquisitions and a history of acquisitions. He noted that of the 30,500 acres currently in the Preserve, 28,000 are owned and 2,000 are under protective easements or some other form of protection. He discussed the limited expansion opportunities and reviewed previous conversations about areas located outside the recommended study boundary and the fact that it would be a challenge to secure funding to acquire those lands. He reviewed the zoning status of various areas within the recommended study boundary and surrounding areas and reviewed the history behind prioritization dating back to 2009.

Mr. Ekblaw highlighted previous efforts of the Commission, looking at intrinsic and strategic value and relative land values. He said that as priority area four is considered, there are ways to conduct assessments, including considering topography, wash corridors, and biotic designations.

Mr. Jace McKeighan, former Commission member, stressed the importance of transferring institutional knowledge between commissioners as term limits expire. He said that part of the purpose of this presentation is to transfer institutional knowledge so that the current Commission can develop their priorities. He opined that although all open space is valuable, when considering priorities, consideration needs to be given to the uniqueness of particular areas as far as their geological features and biotic qualities.

Mr. Ekblaw said that some of the other areas that were included in previous efforts included the zoning or developability of the land and land value. He reviewed the recommended study boundary recommendations dating back to 1998 and talked about the zoning case that was applied to the remaining trust lands, including the parcel acquired in 2016 at Pima and Dynamite Road. He highlighted zoning areas, which include residential, resort parcels, and conservation open space.

It was noted that State Trust Lands were given to the state at the time of statehood. They are held in trust and managed by the State Land Department, with revenues benefiting K-12 public schools and 12 other institutional beneficiaries. The State Land Department has a fiduciary duty to maximize the value of the return on the lands for the beneficiaries.

The Arizona Preserve Initiative, initiated in the 1990's, provided a mechanism to submit to the State Land Department requests for certain lands to be designated as suitable for conservation, allowing for reduced entitlements and a reduced appraised value. In exchange, lands would be designated as not suitable for conservation and would see increased appraised value and increased return to the trust. In December 1998, City of Scottsdale submitted an application for approximately 16,600 acres to be designated as suitable for conservation. In 2002, the State Commissioner identified 13,000 of the 16,600 as suitable for conservation and issued an order that the remaining areas would be designated as not suitable for conservation. In October of 2002, City Council approved a General Plan amendment to include the designations.

Discussion ensued regarding land acquisitions since that time. Mr. Ekblaw noted that at the time of acquisition, the lands suitable for conservation were appraised at values ranging from \$10,000 to \$21,000 per acre. Over a year ago, prior to the recent increases in land values, the

State Land Department indicated that the remaining lands that are deemed as not suitable for conservation held an estimated value of approximately \$300,000 to \$400,000 an acre. Mr. McKeighan noted that the State Land Department is open to the City as a bidder on land, but are not obligated to accept the application or to initiate a bidding process.

Commissioners were given an opportunity to ask questions. Mr. Ekblaw said that the primary remaining State Land holdings within Scottsdale are near the 101 freeway. He explained that even if an exchange of land was made, it would be a minor benefit and would still result in competitive bidding. If land values drop, the state would be under no obligation to sell, because they are responsible for obtaining the highest possible return on the land.

Mr. Justin Owen, Executive Director of the McDowell Sonoran Conservancy, commented that part of the history conveyed to him by Art Decabooter was that when the City acquired land in FY 2010/11, although they were the only bidder, they had to meet the minimum threshold.

Mr. McKeighan said that when he was on the Commission, the only area outside the recommended study boundary that was discussed was the area surrounding the gooseneck, and it was determined not to pursue those areas at that time. Changing the recommended study boundary to include other areas or private land was not considered. Mr. Ekblaw further explained that at the time before 2009, there was uncertainty about the ability to acquire all the land that has since been acquired, so little consideration was given to adding more areas outside the recommended study boundary.

Mr. Ekblaw presented examples of cost projections for the purchase of 3,600 acres of State Trust Land that has been considered. He outlined costs calculations for \$300,000; \$400,000; and \$500,000 an acre plus a calculation of approximately 33 percent in debt service. The cost for the highlighted area would be approximately \$1.7 billion. He suspects that the most benefit would be in Area 4. Discussion ensued regarding the areas near the southern edge of the Preserve, which are close to Rawhide Wash and the potential effect on trail use and the possibility of residential developments creating the opportunity for residents to make their own access trails to existing trails, potential open space obligations for future developers, and the possibility of trading another area in order to obtain the 40-acre resort parcel.

Mr. Ekblaw said that a working team made up of two or three commissioners as well as citizens to conduct research and report back with ideas to the Commission and ultimately to City Council. He anticipates that a report could be forwarded to Council in summer of 2022.

Discussion ensued regarding the inclusion of the postage stamps in the recommended study boundary. It was noted that the original commissioners included the areas as potential future bargaining chips. They discussed the importance of creating and maintaining wildlife connectivity. Mr. Owen said that the Field Institute is working to identify scientific data showing which areas are ecologically sensitive to wildlife within the region.

Mr. Ekblaw explained that City Council approved the recommended study boundary, and the citizens authorized both the 1995 and the 2004 sales taxes to be used within the recommended study boundary.

Mr. McKeighan recommended that Commissioners take a tour of the recommended areas, to gain perspective on the value of the lands. Mr. Ekblaw offered to schedule a tour in December, January, or February.

C. Policy item #2.E. Summary of Previous Presentation for Access Areas Plan reformatting

Mr. Ekblaw reviewed the history of the Access Area Plan, which was created in 1999 and updated in 2010. He recalled that staff proposed reformatting the plan a couple of years ago and Phil Weddle was engaged to update the graphics to make them consistent with what has occurred over the past 20 years.

He reminded the Commission that approximately a year ago, the Commission explored options for adding shade areas to Gateway Trailhead and Lost Dog. Consensus was reached for both locations, but a formal public process and a vote was not taken at that time due to COVID restrictions on public gatherings.

Further discussion on these topics will be planned for public open houses and then agendized for a future meeting.

6. UPCOMING MEETING DATES, LOCATIONS, AND AGENDA ITEMS

All dates listed are tentative and subject to amendment:

Regular meeting

Wednesday November 3rd – Policy Process

Special meeting

November 18th – Policy Process

7. COMMISSIONER COMMENTS

Mr. Ekblaw reiterated that the City Council requested that the Commission consider land acquisition and long-term management maintenance costs. He will provide the complete language forwarded from Council during the next meeting.

Commissioner Hackbarth announced that the Arizona Historic Preservation Conference is scheduled for October 27th through the 29th. The topic will be “Layered Landscapes.”

Mr. Ekblaw reminded Commissioners that they are invited to attend the Camino Campana celebration on October 31, 2021.

8. ADJOURNMENT

COMMISSIONER LIPPS MOVED TO ADJOURN THE MEETING. COMMISSIONER HACKBARTH SECONDED THE MOTION, WHICH CARRIED SIX (6) TO ZERO (0) BY ROLL CALL VOTE. CHAIR WENSTROM, VICE-CHAIR LAPAT-POLASKO, COMMISSIONERS COLUCCIO, HACKBARTH, LIPPS, AND OLSSON VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 6:39 p.m.

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