



APPROVED SUMMARIZED MINUTES

**CITY OF SCOTTSDALE
PROTECT AND PRESERVE SCOTTSDALE TASK FORCE
SPECIAL MEETING**

**4:00 p.m. Wednesday, April 26, 2023
Florence Ely Nelson Park Room
8950 E. Pinnacle Peak Road
Scottsdale, Arizona 85255**

CALL TO ORDER

The regular meeting of the Scottsdale Protect and Preserve Task Force was called to order at 4:00 p.m.

ROLL CALL

PRESENT: Cynthia Wenstrom, Chair
Raoul Zubia, Vice Chair
Carla
James Eaneman
Nicholas Hartmann
Jace McKeighan
Daniel Schweiker
John Zikias (MS Teams)

ABSENT: Mark Winkleman

STAFF: Bill Murphy, Assistant City Manager
Kroy Ekblaw, Executive Assistant Strategic Projects
Scott Hamilton, Preserve Manager
Sonia Andrews, City Treasurer/Chief Financial Officer
Sherry Scott, City Attorney

PUBLIC COMMENT

There were no public comments.

1. APPROVAL OF MINUTES

Request approval of minutes of the April 10, 2023, Regular Task Force Meeting.

Task Force Action: Discussion and action

Chair Wenstrom called for corrections to the minutes. Grammatical corrections were made.

MEMBER ZIKIAS MOVED TO APPROVE THE MINUTES OF APRIL 10, 2023 AS AMENDED. MEMBER EANEMAN SECONDED THE MOTION, WHICH CARRIED 8-0 WITH CHAIR WENSTROM, VICE CHAIR ZUBIA AND MEMBERS CARLA, EANEMAN, HARTMANN, MCKEIGHAN, SCHWEIKER, AND ZIKIAS VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

2. PROTECT AND PRESERVE SCOTTSDALE TASK FORCE WORK PLAN - PROGRESS

Sonia Andrews, City Treasurer, with the assistance of other city staff, will lead the Task Force through a series of questions to discuss the progress on the Work Plan and identify remaining deliverables to be presented to the Task Force.

Task Force Action: Information and discussion

Sonia Andrews, City Treasurer/Chief Financial Officer, stated that the Task Force was formed to represent the citizens of Scottsdale and to provide recommendations to City Council. City Council also developed a work plan to guide that Task Force. The work plan was reviewed:

- Indian Bend Wash and Parks
 - Receive and study information on maintenance needs
 - What needs, if any, should be funded by new tax?
 - What revenue and tax rate is needed?
- McDowell Sonoran Preserve
 - Receive and study information on maintenance needs
 - What needs, if any, should be funded by new tax?
 - What revenue and tax rate is needed?
- Other needs
 - What other community priorities, if any, should be considered?
 - Receive and study information on community priorities
 - What priorities, if any, should be funded by new tax?
 - What revenue and tax rate is needed?

Member Carla asked about listing specific park projects. She also asked about the possibility of issuing GO bonds for some of the major capital projects. Ms. Andrews stated that whether projects should be listed and how much detail should be included is up to the Task Force. Obtaining voter approval for a tax initiative does not provide the authority to issue bonds, unless voters are specifically requested to approve City issuance of bonds for project funding. For Preserve funding, residents were asked to approve a sales tax as well as the authority to issue bonds. It will be up to the Task Force to make recommendations on best options.

Member Zikias posed a scenario where specific projects are listed for approval by voters as part of the tax and whether approval of the tax would mean that the City would be bound to fund only the specific projects contained in the initiative. He further questioned whether adding language such as, "And other projects identified at a later time," would suffice. Ms. Andrews stated that this is determined by how the ballot question is written. Including specific projects does mean that funding is restricted to those projects, however, the verbiage can be written in a more generic,

high-level manner to be more inclusive and allow more flexibility. Legal counsel will assist in navigating the appropriate language.

Chair Wenstrom suggested the possibility of scheduling a task force study session to allow greater conversation on big picture items in an open forum. Member Zikias concurred and suggested a June/July time frame.

3. MCDOWELL SONORAN PRESERVE UNFUNDED NEEDS

Kroy Ekblaw, Executive Assistant Strategic Projects, with the assistance of other city staff, will provide a history and overview of the McDowell Sonoran Preserve related to the Task Force Work Plan, including without limitation, historical and recent detail about how the Preserve is used by residents, top unfunded needs in the Preserve and funding of Preserve operations. The presentation will provide an opportunity for the members of the Task Force to ask questions about the unfunded perpetual maintenance priorities and other questions on the Preserve needs.

Task Force Action: Information and discussion

Kroy Ekblaw, Executive Assistant Strategic Projects, gave a history and overview of the Preserve. The 1977 Hillside Ordinance was designed to restrict development in mountainous and environmentally sensitive areas. A 13-year legal battle ensued, which the City ultimately lost. The next effort was the Environmentally Sensitive Lands Ordinance. This required development to set aside portions of land as open space left in its natural state. Development was still allowed to a certain extent in desert and mountainous areas. Through a number of supporters, the McDowell Sonoran Land Trust was formed, known today as the McDowell Sonoran Conservancy. The Preserve Commission and Preserve Ordinance were formed by the City Council with support from a diverse grassroots community-led effort. Other proponents included landowners, media partners, tourism and development entities and organizations.

Focuses of protection within the Preserve include:

- Washes
- Geographic features
 - Ridgelines
 - Overlooks
 - Peaks and Saddles
 - Rock Slabs
- Habitat areas
- Flora and fauna
- Diverse Topography
- Man-made features

The voters ultimately approved two taxes:

- 1995: Approved 0.2 percent sales tax to purchase land in the Recommended Study Boundary (RSB)
- 2004: 0.15 percent tax to purchase land and provide Preserve amenities in the RSB

Implementation of the plan targeted the following:

- Acquire
 - 34,000 acres
 - Integrated open space
 - Regional linkages

- Develop
 - Access areas
 - Trails
- Manage and protect the Preserve per ordinance

To date, the City has achieved protection over 90% of the targeted 34,000 acres. This has been accomplished through acquisitions as well as a small percentage of protection of private property. The City secured a significant volume of matching grants through State Parks for acquisition of state trust lands, predominantly in the northern portions of the City. As of 2023, the Preserve features 235 miles of trails and 12 trailheads. An overview sample of the design process for Gateway Trailhead was provided. Trail design, needs and uses was briefly reviewed with the main goal to minimize impacts on the environment while providing recreational and educational opportunities. In 2018, Proposition 420 amended City Charter to require citizen vote for future proposals that might alter the natural state of the Preserve or to use tax funds for new ideas and uses. The City of Scottsdale owns and operates the Preserve, but acts in partnership with the Conservancy to support management and protection of the Preserve. The roles of staff include: Manage the Preserve; prepare plans, policies, rules and regulations for City Council consideration; implement plans; acquire land; seek partnerships and cooperative programs. The Preserve budget for 2021/22 was reviewed.

Mr. Ekblaw discussed the Preserve's value to the community and costs for its improvement and maintenance. The combination of taxes currently in place will result in a total of \$1.6 billion invested in the Preserve for land and improvements. A number of partnerships help to maximize the value of investments made in the Preserve and to minimize economic impacts on the citizens. A comparison of the Preserve to other regional and county open spaces was given. A list of positive economic impacts provided by Experience Scottsdale from a tourism perspective was reviewed.

During a City Council meeting in January, 2022, a presentation was given as a direct request from Council's strategic plan. This included the following objective: To fund future Scottsdale McDowell Sonoran Preserve maintenance needs, evaluate a perpetual maintenance fund, and explore funding options, including the extension of the two-tenths of 1 percent sales tax currently dedicated to Preserve land acquisition which expires in 2025 by June 30, 2022.

Yearly Preserve cost projections were outlined:

- Daily Preserve activities and operations: \$1.25 million
- Sonoran Desert preservation and education: \$400,000 to \$800,000
- Habitat protection: \$420,000 to \$650,000
- Cultural history protection: \$60,000 to \$80,000
- Yearly total: \$2.1 to \$2.8 million

One-time Preserve costs:

- Habitat protection: \$2 million to \$4 million
- Cultural history protection: \$400,000
- Corridor protection: \$10 million
- Trails and trailheads: \$12 million

Staff believes that one-time costs can be covered by the tax expiring in 2034. As such, staff recommends focus on the yearly Preserve costs as the main priority. Daily activities and operations include maintenance and cleaning of trails and trailheads, support maps and signs.

Protecting the Preserve is encompassed by several areas, including education with opportunities to include onsite hands-on and virtual experiences. It also includes the monitoring of plants and wildlife for threats to diversity as well as impacts of urban interfaces at Preserve boundaries. An update to the Preserve’s ecological resource plan will assist in fine-tuning monitoring focuses. This will be brought to the Task Force over the summer in greater detail. Habitat protection includes treatment of invasive plants, vegetation management, restoration of disturbed land and mapping and assessments to confirm progress of habitat protection. Cultural history protection includes completing cultural surveys for yet un-surveyed areas in the Preserve. It also includes identification, design and installation of appropriate protection and interpretive education signage. Corridor protection includes land bridge(s) for wildlife crossings to connect the gooseneck area with the northern Preserve.

In response to a question from Vice Chair Zubia, Mr. Ekblaw stated that the cost for the land bridges had the potential to double by the time of ultimate completion. Larger mammals anticipated to utilize the crossing include deer, coyotes, javelinas and possibly bears. Member Zikias noted that Rio Verde Drive, the location of the proposed crossing, is the only road that actually crosses through the Preserve and that human beings are likely to use this crossing as well. Mr. Ekblaw stated that any potential human pedestrian crossing would not be shared directly with the wildlife crossing. Member Carla stated that the land bridge is critical for the long-term biological sustainability of the Preserve.

Trailhead and trail completion and modifications include:

- Shaded amphitheaters
- Sunrise restrooms
- Resolve the issue of two trailheads not being in the master plan: Ringtail & 104th/Bell
- Tom’s Thumb and Fraesfield water
- Resurface equestrian areas
- Assess areas for removal of old trails
- Boundary control

In response to a question from Member Hartman, Mr. Ekblaw stated that there are potential matching grants for the land bridge from the federal or state government.

Member Zikias inquired about the effects on the ecosystem absent further action and funding. Mr. Ekblaw commented that the Sonoran Desert has survived without management and maintenance for quite some time, however, this perspective is shortsighted, particularly in the urban interface perspective, with the introduction of trails and trailheads. Determining cost impacts is difficult. However, environmental impacts could result in degradation of the habitat, flora and fauna.

In response to a question from Member Eaneman regarding fire mitigation programs and efforts, Mr. Ekblaw stated that the Task Force will be receiving a presentation from the Fire Department on current programs.

4. IDENTIFICATION OF POSSIBLE FUTURE AGENDA ITEMS

The Task Force may request proposed topics for future agendas, but the Task Force may not discuss, deliberate, or take legal action on any matter in the “Identification of Possible Future Agenda Items” unless the specific matter is properly noticed for legal action. Additionally, the following previously requested items may be placed on a future agenda:

- Discussion related to how the parks and McDowell Sonoran Preserve are used by city residents (Tentatively April 10th through May 10th)
- Information on the unfunded needs of the McDowell Sonoran Preserve Commission (Tentatively April 24th and May 10th)
- Discussion related to funding operations of the parks and McDowell Sonoran Preserve (Tentatively April 24th and May 10th)
- Presentation from Public Safety on the activities and concerns of police and park rangers within the parks and the McDowell Sonoran Preserve (Tentatively May 31st)
- Information on Human Services' current efforts to address homelessness in the city's parks and the role of park rangers (Tentatively May 31st)
- Brainstorming session on areas and topics to survey community opinions (Tentatively June 14th)
- Guidance on what may be included within "other needs" referenced in the Protect and Preserve Scottsdale Task Force Work Plan
- Guidance on the level of detail necessary related to "funding strategy" referenced in the Protect and Preserve Scottsdale Task Force Work Plan
- Sales tax revenue projections
- Guidance on ballot question format and requirements

Task Force Action: Information, discussion, and possible action

Several existing and potential future agenda items were refined.

5. ADJOURNMENT

With no further business to discuss, being duly moved by Vice Chair Zubia and seconded by Member Eaneman, the meeting adjourned at 5:43 p.m.

AYES: Chair Wenstrom, Vice Chair Zubia, Members Carla, Eaneman, Hartmann, McKeighan, Schweiker and Zikias.

NAYS: None

SUBMITTED BY:

eScribers, LLC