



**CITY OF SCOTTSDALE
McDOWELL SONORAN PRESERVE COMMISSION
REGULAR MEETING**

May 7, 2015

**Florence Ely Nelson Desert Park
8950 E. Pinnacle Peak Road
Scottsdale, AZ 85255**

DRAFT SUMMARIZED MINUTES

PRESENT: James Heitel, Chairman
Robert Frost, Vice Chairman (left at 6:18 p.m.)
Con Englehorn, Commissioner
Jace McKeighan, Commissioner (arrived at 5:04 p.m.)
Fred Klein, Commissioner
Susan Wheeler, Commissioner
Mike Milillo, Commissioner

STAFF: Bill Murphy
Kroy Ekblaw
Scott Hamilton
Liz Hildenbrand
Yvonne Massman
John Loleit
George Williams
Phil Kercher

GUESTS: Melanie Tluczek

1. CALL TO ORDER

Chairman Heitel called the meeting to order at 5:02 p.m.

2. ROLL CALL

Members present as noted above.

Chair Heitel thanked Commissioner Wheeler for her six years of service on the Commission.

3. PUBLIC COMMENT

There were no members of the public who wished to speak.

4. APPROVAL OF MINUTES (Discussion begins at 5:04; approximately 2 minutes into the meeting)

Approval of the Joint Work Study Meeting of March 30, 2015

VICE-CHAIR FROST MOVED TO APPROVE THE MARCH 30, JOINT WORK STUDY MEETING MINUTES AS AMENDED. COMMISSIONER ENGLEHORN SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).

Approval of the Regular Meeting minutes of April 2, 2015

VICE-CHAIR FROST MOVED TO APPROVE THE APRIL 2, 2015 MCDOWELL SONORAN PRESERVE COMMISSION REGULAR MEETING MINUTES AS AMENDED. COMMISSIONER ENGLEHORN SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).

5. MCDOWELL SONORAN CONSERVANCY UPDATE (Discussion begins at 5:05; approximately 3 minutes into the meeting)

Melanie Tluczek gave an update on the Ecological Resource Plan process, which is an effort between the Conservancy and the City of Scottsdale to develop a plan using current knowledge of the Preserve to develop research and management recommendations that will guide Preserve management on the basis of science. The MSC has worked with the Science Advisory Committee to vet monitoring plans and make recommendations about evaluating ecological changes and developing response mechanisms. Once finalized, the plan will be incorporated into the overall resource management plan and be presented to City Council.

Ms. Tluczek will return to the Commission with a more extensive plan update in the fall.

6. ANASAZI SCHOOL PARKING LOT ACCESS/PATH ALONG CACTUS ALIGNMENT/RINGTAIL TRAIL ALIGNMENT (Discussion begins at 5:10; approximately 8 minutes into the meeting)

George Williams from the Transportation Department gave a presentation outlining the details behind the proposed multi-use path along the Cactus alignment, which would offer a pedestrian connection between neighborhoods to Anasazi elementary school and 128th Street. He explained that the multiuse path is separate from the Ringtail Trail realignment proposal. City Council approved the multiuse path along Cactus in 2008 as

part of the Transportation Master Plan. Mr. Williams explained that residents have expressed a desire for the multiuse path be located as far from homes as possible and possibly onto Preserve land and the Preserve Director has recommended placing the path in the right-of-way along the edge of the Preserve. Discussion is underway as to whether the path could be located within the Preserve boundaries and/or whether the area used for a path could be removed from the Preserve.

Mr. Ekblaw identified that the Ringtail Trail alignment will be relocated north of the future path. This relocated path will be a single track trail.

The Preserve Director is not supportive of locating the proposed paved path 50 to 100 yards north into the Preserve as requested by neighbors, but would be open to the possibility of keeping it at the disturbed edge area that was previously paved.

Mr. Ekblaw noted that the City has an agreement with the Scottsdale Unified School District and Anasazi to share the school's parking lot for overflow users from the Lost Dog Wash Trailhead. The path adjacent to the school would connect the sidewalk along 124th Street to the Lost Dog Trailhead.

Mr. Ekblaw explained that staff is looking for input on the possibility of encroaching into the Preserve slightly, possibly removing that small section from the Preserve, which is allowable under the Ordinance provision that permits up to six one-acre parcels per year to be removed by Council approval.

Commission members were given an opportunity to make comments. Discussion ensued regarding the difference between a path and a trail, neighborhood access to the Preserve, and whether an area of path encroachment into the Preserve should be kept as part of the Preserve or removed.

Phil Kercher from the Transportation Department noted that the existing street area is a half street and is impassible for two cars at one time. Utilizing the shoulder of the road as part of the path construction would leave no room for vehicles to pull over to allow other vehicles to pass.

Discussion continued regarding the purpose of the projects, construction, and the possibility of removal of a small section of the Preserve.

VICE-CHAIR FROST MOVED THAT THE COMMISSION ENCOURAGE STAFF TO REMOVE THE MULTI-USE TRAIL FROM THE PRESERVE. COMMISSIONER WHEELER SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).

Dennis Mowery, resident, said that he was in favor of moving the path and trail away from Sonoran Heights residential property lines. He suggested that in the area of 127th Street to 128th Street the path be extended all the way across in a straight line.

7. REFINEMENT OF IDEAS FOR ENDOWMENT CONCEPT AND CONDITIONS
(Discussion begins at 5:51; approximately 49 minutes into the meeting)

Chair Heitel reviewed the cover letter and Commission recommendations that staff assembled to be presented to City Council for approval of further analysis.

Commission members recommended changes to the verbiage.

Mr. Ekblaw explained that the report includes financial projections so Council will have a clear understanding of where the numbers come from. A presentation will be made to Council during a work study session in early June and staff will agendize a review of the Council presentation for the June McDowell Sonoran Preserve Commission meeting.

VICE-CHAIR FROST MOVED TO ADVISE STAFF TO MOVE FORWARD WITH FINALIZING THE ENDOWMENT CONCEPT AND CONDITIONS DOCUMENT AND SUBMISSION TO CITY COUNCIL AND TO BRING BACK THE FINAL DOCUMENTS FOR COMMISSION REVIEW. COMMISSIONER KLEIN SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).

8. **SPECIAL EVENTS AND COMMERCIAL USE POLICIES** (Discussion begins at 5:59; approximately 57 minutes into the meeting)

Ms. Hildenbrand noted that wordsmithing changes that Commissioner Klein submitted were included in the revised version given to Commissioners as a separate document. Commissioner Klein suggested that on page two where it says permanent process it should read "all applicants complete the request form " rather than "all requests complete the request form"

Ms. Hildenbrand highlighted that the use category that applies only to trailhead space would require a permit fee and insurance. The only commercial activity that would be permitted is filming or photo shoots. No other activity organized by a for-profit or a not-for-profit organization would be permitted, including mountain biking demonstrations and wedding planner events.

Commission members agreed that competitive activity applications should be received a minimum of 60 days in advance of the event dates.

COMMISSIONER KLEIN MADE A MOTION STATING "COMPETITIVE EVENTS WILL BE PERMITTED ONLY IF IT CAN BE SHOWN THAT THEY CLEARLY ADVANCE THE OBJECTIVES OF THE PRESERVE. EACH REQUEST WILL BE EVALUATED ON AN INDIVIDUAL BASIS. THESE REQUESTS MUST BE PRESENTED TO THE MCDOWELL SONORAN CONSERVANCY AND THE MCDOWELL SONORAN PRESERVE COMMISSION FOR COMMENT. THE PRESERVE DIRECTOR AND THE MCDOWELL SONORAN PRESERVE COMMISSION MUST THEN APPROVE EACH EVENT AT LEAST 60 DAYS BEFORE A PERMIT CAN BE ISSUED. SPONSORS SHALL NOT ADVERTISE OR PROMOTE ANY EVENT BEFORE SUCH APPROVALS ARE OBTAINED." VICE-CHAIR FROST SECONDED THE MOTION. NO ACTION WAS TAKEN.

Discussion ensued regarding the objectives of the Preserve, allowable activities, and the roles of the Preserve Director and the Commission, and the Preserve Ordinance language. Staff agreed to confer with the City Attorney's Office about whether the McDowell Sonoran Preserve Commission can "approve" events or whether approval is the responsibility of the Preserve Director with input from the Commission.

COMMISSIONER ENGLEHORN MOVED THAT COMMISSIONER KLEIN'S MOTION BE TABLED FOR FURTHER REVIEW BY THE STAFF. COMMISSIONER MILILLO SECONDED THE MOTION, WHICH CARRIED WITH A VOTE OF SIX (6) TO ZERO (0). VICE-CHAIR FROST NOT PRESENT.

9. STAFF REPORTS (Discussion begins at 6:28; approximately 1 hour and 26 minutes into the meeting)

- Land Acquisition

Mr. Ekblaw said that discussions with the State Land Department and the City about the zoning cases are ongoing and a public meeting with the Greater Pinnacle Peak Homeowners is scheduled towards the end of May. The acquisition is anticipated to go to the Planning Commission during the summer and to City Council in late summer, early fall which could lead to auctions being scheduled in early fall.

Mr. Ekblaw noted that the State Land Department has appointed Lisa Atkins as their new Commissioner.

- Phase 2c Trail Plan Update

Mr. Ekblaw said that trail corridors 1, 2, 3, 4, and 4a have been completed and are still undergoing revegetation and removal of old trails. Signage and a new map will be completed during the summer. Trail corridors 5, 6, and areas 7, and 8 will begin next season. Communication will continue with the working team as areas 7 and 8 are assessed during the summer.

- Cultural Resource Master Plan

Mr. Hamilton said that the City is working with Logan Simpson Design to develop the initial concepts for the Cultural Resource Master Plan. Meetings have been held with stakeholders and tribal representatives and the consultants are working on putting together ideas obtained through those meetings. A public open house is scheduled for June 18th. Staff anticipates that the final document will be ready for Commission recommendation to Council in late fall or early winter.

Mr. Murphy thanked Commissioner Wheeler for her years of service on the McDowell Sonoran Preserve Commission and presented her with a gift.

10. COMMISSIONER COMMENTS (Discussion begins at 6:35; approximately 1 hour and 33 minutes into the meeting)

Chair Heitel thanked Commissioner Wheeler for her service and dedication on behalf of the Commission.

Commissioner Wheeler said a few words thanking staff and her fellow Commissioners.

11. AGENDA ITEMS FOR FUTURE MEETINGS (Discussion begins at 6:28; approximately 1 hour and 26 minutes into the meeting)

Possible June agenda items include:

- 2015/16 Preserve Promotion Plan
- Naming Policies
- Ideas for Endowment Concept and Conditions Follow-up (As Needed)
- Special Events and Commercial Use Policies Follow-up (As Needed)
- Jeep Tours Follow-up (As Needed)

Other Future Items:

- Earmarking Funds from Commercial Outfitters
- ERP
- Drones
- Dogs in Preserve

Commissioner Klein stressed the importance of having further discussion about an online Presence for the Preserve. Mr. Ekblaw noted that the 2015/16 Preserve promotion plan is listed on the June agenda.

Chair Heitel suggested that since City Council has formally acknowledged the Gateway as the preferred location for the Desert Discovery Center, it is the City's responsibility to put up notification to that effect at the Gateway and provide an outlet for citizens to post comments and questions similar to the opportunities offered during the General Plan discussions.

12. ADJOURNMENT

The meeting adjourned at 6:38 p.m.

Respectfully submitted,
A/V Tronics, Inc. DBA AVTranz.