



SUMMARIZED MINUTES

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

**4:00 p.m., Wednesday, June 14, 2023
McDowell Mountain Ranch Aquatic Center
15525 N. Thompson Peak Parkway
Scottsdale, Arizona 85260**

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 (MS Teams)
Daniel Schweiker
Mark Winkleman
John Zikias (MS Teams)

STAFF: Sonia Andrews, City Treasurer/Chief Financial Officer
Sherry Scott, City Attorney
Scott Hamilton, Preserve Manager
Nick Molinari, Parks and Recreation Director
Brent Stockwell, Assistant City Manager
Stephanie Zamora, Management Associate
Gina Kirklin, Finance Director
Carol Banegas-Stankus, Administrative Staff

PUBLIC COMMENT

There were no public comments.

1. APPROVAL OF MINUTES

Request approval of minutes of the May 31, 2023 Regular Task Force Meeting.

Task Force Action: Discussion and action

Chair Wenstrom called for corrections to the minutes. Member Carla provided a requested insertion.

VICE CHAIR ZUBIA MOVED TO APPROVE THE MINUTES OF MAY 31, 2023 AS AMENDED. MEMBER WINKLEMAN SECONDED THE MOTION, WHICH CARRIED 9-0 WITH CHAIR WENSTROM, VICE CHAIR ZUBIA AND MEMBERS CARLA, EANEMAN, HARTMANN, MCKEIGHAN, SCHWEIKER, WINKLEMAN AND ZIKIAS VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

2. TASK FORCE WORK STUDY SESSION

The Work study session provides an opportunity for task force members to discuss specific topics at length with each other, and for staff to receive direction from the Task Force and for the public to observe these discussions. Chair Wenstrom, with the assistance of Vice Chair Zubia, will lead the Task Force members in discussions of the following topics related to the task force work plan.

2.1 Discussion and possible direction on the need for a new tax to replace the expiring 0.2% McDowell Mountain Preserve Tax.

2.2 Discussion and possible direction on examples of parks sales tax implemented by other cities.

2.3 Discussion and possible direction on needs and priorities to be funded by a new tax.

Task Force Action: Information and discussion, and possible recommendations to staff

2.1 Discussion and possible direction on the need for a new tax to replace the expiring 0.2% McDowell Mountain Preserve Tax.

Chair Wenstrom suggested that this item begin with an open discussion. Any comments on yes, we should proceed with yes a tax is necessary or no a tax is not necessary.

Member Schweiker commented that based on the discussion thus far, there is definitely a need to extend the tax. I feel strongly, in favor that we need to extend the tax. Member Carla added that various City departments (Parks, Preserve, Police Ranger Unit and Fire) demonstrated a need, particularly the Parks Department. She suggested that discussions of the tax include the word, “dedicated,” so that it is clear in minutes and discussions that the Task Force intends this to be a dedicated tax for the applicable departments. This will prevent future City Council ability to sweep funds into the General Fund to be used for other purposes. Chair Wenstrom stated that for clarification, at this early stage there should not be identification of the departments at this early stage but rather if Members are or are not in favor of a tax. Member Winkleman agrees there is definitely need in different areas and stated that it would be helpful for the Parks Department to present a summary of defined needs. Member Zikias commented that some Parks needs will be capital and others maintenance, continuing onto Preserve there is no current funding for ongoing

maintenance. He definitely agreed there is a need to extend the tax. Chair Wenstrom requested that this discussion be included as a topic for the next meeting.

2.3 Discussion and possible direction on needs and priorities to be funded by a new tax.

Discussion ensued regarding the specific needs and priorities identified for this agenda item.

Chair Wenstrom suggested that needs and priority items that should be funded by a new tax, such as landscape maintenance, which the Task Force recommends to be included in the Parks budget, be referred to as “inside the circle.” Items that the Task Force believes should not be funded with a new tax, will be referred to as “outside the circle.”

Member Hartmann stated we have two circles that we need. The first one is to avoid deferred maintenance, as this leads to greater expenses in the long run. The second, is to maintain and enhancement of quality of life. These are the principal goals of a new tax. Chair Wenstrom clarified she was thinking of the circles as buckets of need as presented to the us, so there’s a circle for the Preserve, the Parks, law enforcement.

Member Carla commented that there is a broad-based description for the ballot language and only the language voted on in the measure is enforceable. As these are typically 50 words or fewer, the wording must be succinct and effective.

Member Eaneman commented that once the items in the circles are identified, they must be prioritized. Using the Kepner-Tregoe matrix system would be helpful as part of the deliberations.

Chair Wenstrom welcomed specific identification of funding targets. Member Carla stated that the Preserve Commission worked for years to develop its list of needs and suggested that the Task Force incorporate this list as drafted. Member Carla questioned whether it is the Task Force’s job to prioritize the Park Department’s items on that list. The Police Department has clearly stated the need for police rangers and related support.

Member Zikias agreed that the Preserve did a great job of identifying needs. It is important to keep maintenance versus one-time costs in mind. It would be helpful to know how much revenue would be generated by the tax on an annual basis. Sonia Andrews, City Treasurer/Chief Financial Officer, stated that staff is planning to develop a proforma of sales tax revenues in August. The Task Force will also be provided with financial information on other topics discussed, such as the Arts, homeless services and others.

Member McKeighan said it would be helpful to look at how the Preserve Commission developed its figures. This included funding for operations on a minimal basis. Exact numbers may not be necessary for various projects, and it may be more practical to determine a percentage of revenue to be allocated to Preserve, Parks, and other departments.

Member Hartmann commented that identification of priorities is dependent upon available resources. As such, identification of available funds is important and the lack of such information prevents decision-making. Member Schweiker suggested that it would be helpful for staff to provide the proforma to the Task Force as soon as available and ahead of August, if possible.

Member Carla commented that specific items and projects from each department are necessary to be able to sell the plan to the public. It may be helpful to have an overall allocation to the four

departments together, with a specific department budget developed annually. She would like to have a more succinct presentation from Fire to identify specific needs.

Member Winkleman commented that it would be helpful to identify specific projects, but the tax will be in place for quite some time and priorities and projects for departments will change and evolve over time.

Chair Wenstrom summarized that there is agreement for maintenance to be in the circle for the Preserve and that no other items have been identified as being in the circle. Member Winkleman commented that during the Preserve presentation, four areas were identified for funding. All four may not fit under maintenance. Member Hartmann commented that this is another instance where available funding determines what items go into the circle. The question is whether this body prioritizes needs on advice from the departments or whether the Task Force simply incorporates the prioritization provided by departments.

Member Carla suggested that maintenance be termed “yearly needs.” Trailhead updates and the land bridge are not being requested for funding, as they have other funding sources. Scott Hamilton, Preserve Manager, stated that the chart provided previously included two primary categories: one-time and ongoing costs. Ongoing costs include daily operations at approximately \$1 million per year. Other items included invasive plant treatments, wildland fire mitigation and restoration. One-time costs include the land bridge, amphitheater, upgrades at trailheads and capital project one-time costs. The second Preserve tax, expiring in 2025, is 0.2 percent. The 0.15 tax expires in 2034 and includes voter approval of acquisition and improvements. The remainder of the first tax and second tax, can be used for one-time costs. Two special Preserve Commission meetings are coming up in June and July. The intent is to break the chart into one-time costs and ongoing costs. The cost updates will be provided to the Task Force in August. Member Zikias suggested referencing the presentation provided to the Task Force on April 26th, which provided a breakdown of categories of daily Preserve activities. The presentation included four categories for yearly costs and four categories of one-time costs.

Mr. Hamilton stated that the presentation chart narrowed ongoing operation categories to:

- Daily Preserve activities and operations
- Sonoran Desert preservation and education
- Habitat protection
 - Wildlife monitoring
 - Invasive plants
 - Wildland fire mitigation
- Cultural resource protection

All categories combined is \$2.1 to \$2.8 million.

One-time costs which may be eligible for coverage under the existing 0.2 and 0.15 tax estimated at \$27 million include:

- Habitat protection (one-time large restoration projects)
- Cultural protection
- Corridor protection: Land bridge

- Trails and trailhead: potential amphitheater and Gateway Trailhead, potential covered amphitheater at Lost Dog Wash, ultimate disposition of Ringtail Trailhead, 104th and Bell Road Trailhead

Member Hartman clarified that the four categories listed as Preserve ongoing operation categories be in the circle.

Member Carla suggested that Preserve staff and Commission should confer with legal to develop a header word to cover the items identified as ongoing costs.

Chair Wenstrom opened the discussion as applicable to Parks & Recreation; what is in the circle to be funded by a new tax and what is not in the circle. Member McKeighan identified maintenance, deferred maintenance and new parks as funding categories as inside the circle. Member Hartmann commented that the first priority is avoiding deferred maintenance. The overarching goal is to maintain quality of life for residents and visitors. Member Zikias suggested that there also be focus on sports complexes as well as avoidance of deferred maintenance.

Member Carla suggested header titles: Maintenance, deferred maintenance and projects. The term “projects,” would likely be on the ballot and would encompass all the items identified. Once again, the priority projects from Parks & Recreation should come from that Department and not from the Task Force.

Member Winkleman suggested an alternative identifier to deferred maintenance, such as, “Restoring the parks to current standards.” While he supports Member Carla’s approach of identifying projects, the term should also be broad enough to include projects that enhance or permit new activities, such as dog parks and pickleball. Chair Wenstrom summarized this as “restoration and enhancements.”

Member Schweiker referred to the resolution that authorized the Task Force, which included the term “and other needs” which may include items not even thought of yet.

Nick Molinari, Parks and Recreation Director, commented that the categorization of its department needs are very similar to the Preserve. The Preserve is removing the need for one-time costs as a request for tax dollars, while the Parks & Recreation Department is including it. Over the term of a long-range tax, priorities may change. The Department has a bucket of ongoing costs, including ongoing maintenance for staffing and ongoing expenditures. There are one-time costs for park improvements, projects and capital enhancements. One-time costs would be prioritized through master planning and would go through the budget process from year to year, similar to the CIP budget.

Member Eaneman emphasized deferred maintenance is more expensive the longer it is delayed.

Chair Wenstrom asked for Members' input on the statement that Parks & Recreation consists of greenbelt, Indian Bend Wash and parks. Are there other entities?

Member Zikias stated that sports complexes are also included. Member Schweiker said it should include everything that falls under the Parks & Recreation heading. Member Hartmann stated that this also depends on what the Parks & Recreation Department defines as its priorities. Mr. Molinari stated that while the Department’s priorities would evolve over time, there is citizen involvement in master planning. The Parks & Recreation Commission is also involved with project

prioritization. Ultimately, City Council approves projects through the budget process. While pinning down priorities at this time is not the best methodology for determining needs over the next 20 years, there is significant citizen oversight and development of priorities.

Member Winkleman suggested that Parks & Recreation provide a list of applicable categories. Mr. Molinari reiterated that Department priorities include daily operations and ongoing maintenance, as similar priorities to the Preserve. This includes additional maintenance workers and resources for general maintenance. Another bucket would include one-time project costs, which may change year to year based on City Council prioritization and Commission. Member Carla stated that Parks & Recreation will still have to develop a list of likely projects for the next five to ten years, in order to present to the public. Mr. Molinari confirmed that there is a list of prioritized projects, and he will provide it to the Task Force on June 26th. Chair Wenstrom suggested a list of ongoing maintenance costs as well as the top ten CIP projects.

Discussion ensued regarding the Police budget requests. Member Carla stated that the Department has requested a full unit of police rangers and the necessary accompanying support. Chair Wenstrom recalled that this would include six officers and a sergeant.

Task Force Members discussed the Fire budget request. Member Carla addressed the need for increased education on fire danger, through the Firewise program specific to neighboring areas of the Preserve. An additional item identified by the Fire Department is increased brush trucks and adequate staff for their operation. Member Zikias summarized the requests as field management, education/Firewise, brush trucks, equipment and personnel. One-time costs totaled approximately \$1.5 million with ongoing annual costs of \$660,000. Member Schweiker commented that while identified as one-time needs, brush trucks have a life expectancy of six to seven years and have ongoing impacts. Member Carla addressed the importance of fuel (fire) management on an ongoing basis, which is not included in current grants. Mr. Hamilton clarified that habitat protection includes fuel removal (wildland fire mitigation) in the Preserve. Current fire department grants have assisted with areas on the edge of the Preserve. Member Carla stated that the Fire Chief also requested increased rescue personnel and capability, including motorized two-wheel vehicles to enter the Preserve as needed. Member Winkleman noted that Police requested vehicles as well.

Member Hartmann referenced a previous presentation from Social Services and the police chief regarding homelessness. It is not clear that the Task Force has settled the issue of whether its duty and tax application extends to addressing the root cause of homelessness, which lies in the social services arena and not policing. This may need to be revisited with Social Services and the police chief. Member Carla reviewed that based on previous discussions, the Task Force is not attempting to solve the problem of homelessness, but to deal with problems caused by homelessness in the parks. If Parks & Recreation is provided with a budget sufficient to address the issue of homelessness, then the Task Force has achieved its goal. Member Winkleman questioned whether Parks & Recreation should be doing anything other than removing these individuals from the parks at closing hours. Chair Wenstrom commented that it deals more directly with cleanup issues resulting from homeless activities in the parks. Mr. Molinari stated that this item would involve staffing resources and contractual services required to deal with the issue of homelessness. This may involve additional roving and cleanup, but not systematic shelters and resources. Police rangers would play a primary role in addressing homelessness in terms of citizen interaction and experience in parks. Member Schweiker summarized that it is the effects of homelessness that the Task Force is addressing, as opposed to its root causes.

Chair Wenstrom commented that extending the tax for the identified categories will free up funding in the General Fund for other uses, such as root causes of homelessness.

Member Eaneman stated that during the Task Force's second meeting, a former member of City Council spoke about the imperative to include the arts in Scottsdale during its deliberations and recommendations. While this seems to be outside the purview of the Task Force's work, it should be discussed and definitively determined. Member Hartmann commented that the term "need" is elastic and dependent upon available resources. While the direction from City Council included "other needs" in its charge to the Task Force, lack of resources determine what additional items are included. Member Schweiker concurred, however, Council included the "and other needs" as a statement of direction to explore other items.

Member Carla agreed with Member Hartmann's comments that other needs can only be addressed if there is funding to do so. She noted that Ms. Andrews had previously provided a presentation that referenced other unfunded needs. She requested clarification. In addition, she invited comments from former Council Member Milhaven, who was in attendance. Ms. Milhaven stated that City Council discussed potential limitations on categories and intentionally added other needs for consideration of the Task Force. If the Task Force identifies other needs in the community that would contribute to quality of life, it is within the Task Force purview to include them. Vice Chair Zubia commented that it may then be appropriate to have other City entities provide brief presentations to the Task Force on potential other needs. Member Carla cautioned against having an open invitation, as there will be multiple departments that come forward requesting funds and many will be disappointed when they are not granted. The amount of funding for the "other" category is ambiguous. It would be helpful to determine the amounts requested by the primary identified departments and to see what amounts remain, if any.

Member Schweiker reminded the Task Force about the resolution, which is to protect and preserve Scottsdale's open spaces and quality of life. The buckets identified so far apply to open spaces. However, the "quality of life" is equal under the resolution. As such, departments with potential projects and budget items relative to quality of life should be considered. Member Eaneman concurred with previous comments cautioning against opening an invitation for departments to present and request funds for various projects. Member Zikias agreed, noting that significant meeting time would have to be spent to accommodate the presentation of requests. The name of the Task Force is Protect and Preserve, which is in and of itself a guiding factor for the Task Force's responsibilities. It will be difficult to market a proposal that becomes a huge catch-all for City projects.

Member Winkelman disagreed with previous comments that the charge of the Task Force was to address the four buckets and only if funds remain, to consider other items. The preamble does not state that only if funds remain will other items be considered. If Task Force members identified other items for funding consideration, it is incumbent upon them to bring them up for discussion. Soliciting input for other suggested items is not necessary, however Task Force members should be free to bring up potential other items for discussion. Member Hartmann commented that the phrase "and other needs" is obviously an appendage catch-all. The principal charge of the Task Force is to address the four buckets. Everything being discussed affects quality of life, including clean, accessible and safe parks as well as safety from fire hazards. It is not possible to address other needs until the overall available budget is identified.

Member McKeighan commented that there was a presentation from the Arts early on, however, there has not been a flood of other requests. He agrees, however, that the Task Force should not solicit presentations.

Chair Wenstrom asked whether there are community groups that would help the Task Force garner support from the Arts. Brent Stockwell, Assistant City Manager, stated that the City has a Management service agreement with Scottsdale Arts. One of the requirements of Scottsdale Arts is to undertake a Citywide arts and cultural needs assessment. This process is currently underway and should be done within the next month or two. Staff is also preparing a one-page overview of how the City funds arts and culture.

Member Schweiker clarified that everyone seems comfortable with the four buckets discussed: McDowell Sonoran Preserve program, Parks and Recreation program, Public Safety Park Ranger program and Public Safety Fire mitigation and prevention program.

To be funded by a proposed tax
Preserve Preserve maintenance (on-going - daily operation costs) Sonoran Desert Preservation and education Habitat protection - wildlife monitoring, invasive plants Cultural resource and history protection
Parks and Recreation Deferred and current maintenance New parks Restoration and enhancements to existing parks Everything that falls under parks and recreation heading Impacts of homelessness in the parks
Police Police Rangers - on-going operating costs (6 officers, 1 sergeant and equipment)
Fire Increased education (re fire danger "Fire Wise") Increased brush fire-trucks and associated staff Fuel management (mitigation on the edge / outside of the Preserve) Increased rescue capabilities - vehicles and associated staff
Not to be funded by a proposed tax
Root cause of homelessness

2.2 Discussion and possible direction on examples of parks sales tax implemented by other cities.

Chair Wenstrom opened the discussion on examples of parks sales tax structures by other cities. Member Carla commented that the 2004 second Preserve Tax was the first time Protect and Preserve Scottsdale was written. She quoted from ballot tax language from Colorado Springs: "...without imposing any new tax or increasing the rate of any existing tax, shall the existing tax be extended," and suggested a wording change on the purpose of the tax to the four identified departments. Member Hartmann commented on the flexibility of potential proposals in terms of percentages. There was consensus to have the legal department provide guidance. Member Zikias asked about the success rate for the examples provided. Stephanie Zamora, Management Associate, said that only one of the examples was not passed. For Colorado Springs, the extension of the tax passed, however an increase of said tax was rejected.

3. 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 funding operations of the parks (Tentatively late June)
- Brainstorming session on areas and topics to survey community opinions (Tentatively July)
- Presentation by city staff on city's partnerships with the McDowell Sonoran Conservancy and other nonprofits and agencies for the McDowell Sonoran Preserve and the programs offered by these nonprofits and agencies
- Sales tax revenue projections

Task Force Action: Information, discussion, and possible action

The following items were identified:

- Vote to confirm support and funding for the four identified departments (buckets) that have been identified to have unfunded needs
- Presentation by Fire Chief Shannon on specific fire mitigation and prevention program costs

4. ADJOURNMENT

With no further business to discuss, being duly moved by Member Winkleman and seconded by Member Schweiker, the meeting adjourned at 6:03 p.m.

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

NAYS: None

SUBMITTED BY:

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