



**TOWN OF FOUNTAIN HILLS
MINUTES OF THE REGULAR MEETING OF THE
MCDOWELL MOUNTAIN PRESERVATION COMMISSION
APRIL 18, 2018**

AGENDA ITEM #1: CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A public meeting of the McDowell Mountain Preservation Commission was convened and called to order by Chair Bill Myers at 5:33 p.m., Wednesday, April 18, 2018 in the Council Chambers at Town Hall, located at 16705 East Avenue of the Fountains, Fountain Hills, Arizona.

AGENDA ITEM #2: ROLL CALL

Present at roll call were Chair Bill Myers, Vice-Chair Tom Barberic, Commissioners Bill Craig, Stan Ruden and Klaus Schadle. Absent at roll call were Commissioners Tom Aiello and Ken Thornton. Staff members present were Community Services Advisory Director Rachael Goodwin and Executive Assistant Jennifer Lyons. Community Service Advisory Commission members Chair Don Doty and Commissioner Sharron Grzybowski were also in attendance.

AGENDA ITEM #3: CALL TO THE PUBLIC

No one from the public wished to speak.

Agenda Item 12 was addressed first so members of the Community Services Advisory Commission (CSAC) could be advised of the update

AGENDA ITEM #4: UPDATE ON THE 2018 MMPC OBJECTIVES

1. Grand Opening of the Trailhead: We had one meeting and there is another meeting set up on the 26th. In the meeting on the 14th we had two people from the MMPC, two from the Conservancy and two from the Town. The following items discussed:
 - A. Date will be November 17th, 2018 at 10:00 a.m.
 - B. Invitees will be coordinated by Director Goodwin.
 - C. Press coverage leading up to and day of.
 - D. Drones will take progress photos.
 - E. Speeches: MC-Bill Myers, speakers: Director Goodwin, Commissioner Craig, Town Manager Miller and Mayor Kavanagh.
 - F. Events of the day: Conservancy has talked about having a 10 minute hike, 20 minute hike and maybe some other events we can advertise right there during the Grand Opening and some in the paper beforehand.
 - G. Subsequent events: This will be a good time for the Conservancy to put out their list of hikes for their whole season and this would be a good time for marketing for the Conservancy.

- H. Fly over: This might be a good advertisement for the sheriff to have a couple helicopters fly over and it also ties into our safe Preserve.
- I. Mementos: We will have some to give out and have a plaque or two.
- J. Transportation: Chair Myers is guessing there will be about 200 cars that will be there. Vice-Chair Barberic suggested having a bus to transport people. Chair Myers suggested having about 25 cars in the parking lot and having the rest park down the road. Then have some transportation to pick up people to take them up to the Trailhead.
- K. Refreshments: 300-400 bottles of water.
- L. Maps: We will need to get updated maps.
- M. Statue: A statue of a hiker was suggested but vetoed. No statues up there.
- N. Tools: Bring the McClouds and tools, so people can see what the volunteers are doing with those things.
- O. Conservancy: They have talked about getting docents or stewards to be up there on Saturdays and Sundays during busy times to answer questions, but it would be nice to have the stewards up there for the Grand Opening as well.
- P. Patches: Stewards to have patches on their shoulders to be indicators of people that will be helping. Commissioner Craig recommended an armband with an insignia on it with a Velcro attachment so the armbands can be used over and over.
- Q. Tents: Parks Supervisor Kevin Snipes will bring up a couple tents and parking barricades.

Commissioner Schadle asked if electricity would be available. Director Goodwin responded that there would not but we have a portable, chargeable microphone and amplification.

Discussion ensued among the Commissioners on types and quantities of mementos. At the direction of Director Goodwin this discussion will be saved for their meeting later next week.

- 2. Fairs: The two fairs were very successful.
- 3. Emergency Markers: This will be discussed under item #5.
- 4. Trail Counters: This will be discussed under item #7.
- 5. Testing 911: Assistant Fire Chief Jason Payne, Commissioner Craig, Norman Thorp, Doug Downing and Commissioner Schadle went out in two teams to Eagle's Nest. There were successful communications between the two groups and the 911 calls went through loud and clear.
- 6. Layers of Protection: Scottsdale and Fountain Hills are both covered by state law but Scottsdale has come up with five additional layers of protection if someone or Council decides they want to sell part of the Preserve. List below are the additional layers of protection.
 - A. City Council with a two-thirds vote can sell six (one) acre parcels per year. Any larger parcels need voter approval. Fountain Hills does not have this protection.
 - B. Scottsdale bought a lot of the land with tax money and should they sell land that was purchased with tax money, the tax account has to be reimbursed. Fountain Hills does not have this protection.
 - C. Land designations from the Preserve need General Plan approval, which requires voter approval. Fountain Hills has this same protection.
 - D. Over the years Scottsdale purchased the land with varying land designations and now all

Preserve land is re-designated as “open space”, which is the highest and most restrictive category in the zoning regulations. Fountain Hills has this same protection.

- E. Scottsdale purchased a lot of land with the use of the “Growing Smarter Grant Money Program” and one of the requirements of using that money was to give the state of Arizona easements. It is unlikely that the state of Arizona would give up those easements which would make the sale of that property much more difficult. Fountain Hills did not use these funds so it would not apply to our Preserve.

In Arizona law 9-403 it mentions that property valued more than \$500,000 always needs a special election. It has to be advertised and it has to be planned. If you consider we carry our Preserve at just over \$13,000,000 on the books and it’s been there for a number of years, so if we assume it is worth \$20,000,000 now that’s like 40 separate sales and it is very unlikely that would ever make any sense to go through all of that. If we ever fall into a position where a judge or bankruptcy has any say, none of these would apply anyway.

AGENDA ITEM #5: UPDATE ON THE LOWER SONORAN TRAIL SIGNS

Chair Myers has given a request Director Goodwin for GIS Technician/CAD Operator Ken Valverde to do the below four things and they are expected to be done sometime in May:

1. “Lower Sonoran Trail” sign graphics for around 50 signs.
2. Trailhead signs – new ones are needed for the three entrances (6 signs). These are part of the “Wayfinding Signs” and there will be a public input meeting for these very shortly.
3. Updated trail maps. Commissioner Ruden has eight or nine updates on our main map and there are some new trails in Scottsdale and the Regional Park.
4. Search and Rescue Maps also needs to be worked on.

Commissioner Craig inquired about the signs for the “Western Loop” and Chair Myers replied that those signs will be in Phase II. Commissioner Craig also requested a connecting map with Scottsdale in conjunction with the above third item. Chair Myers verified that Phase II will also include the signs around the new Trailhead, the signs for the three entrances to the Preserve and the Emergency Markers. Commissioner Ruden proclaimed that the “Promenade Trail” has a new beginning at the upper gate so the signs (Emergency Markers) may need to be renumbered.

AGENDA ITEM #6: UPDATE ON UPDATED MAP STATUS

This item was discussed under items #4 and #5.

AGENDA ITEM #7: UPDATE ON TRAIL COUNTERS

Commissioner Ruden explained that Chair Myers spoke with Scottsdale on how they came up with their monthly totals for the hikers. Once we get enough data we can show trends and consistencies. Counts will be done around the first of the month. Commissioner Craig stated he spoke with Scott from Scottsdale and they put a trail counter at the trailheads to count cars using a factor of 1.4 (hikers per car), which a common standard.

AGENDA ITEM #8: UPDATE ON THE NEXT TRAILHEAD VISIT BY COUNCIL AND OTHERS

Director Goodwin stated that is has not been addressed yet because we are working with the same group that we borrowed the bus from on a different issue and at this time we don't want to ask for a favor. Vice-Chair Barberic asserted that we should wait until after the concrete issues have been resolved.

****Vice-Chair Barberic excused himself from the meeting at 6:23 p.m. for another commitment****

AGENDA ITEM #9: UPDATE ON THE SONORAN CONSERVANCY

Commissioner Craig reported the following:

- There were 260 hikers in their hiking program for 2017 and they have increased it for this year but they do not have a final count on that yet.
- They are starting to talk about educational programs to have at the Trailhead for high school students or Town members.
- The Conservancy has a website and it was brought up that there should be information on the website about the Trailhead.
- McDowell Mountain Park is updating its Master Plan from 1967. The Conservancy is a stakeholder for this and they are attending meetings for this plan.
- The Trailbuilders have completed maintenance on the trails other than Andrew-Kinsey. With the two weeks that are left, we are going to do a refurbishment of the helicopter landing pads after Paul Garvey and Commissioner Craig had gone on a helicopter ride over with Kevin Kraayenbrink and he made suggestions on what needed to be done to make is safer on the emergency landing pads.
- There will be an end of year potluck on Sunday April 29th with the Conservancy, Preserve and the Commission.

Chair Myers commented that the Town has a two mile boarder that borders the park called the Ellman Property. There was some talk before on a plan to get two different trails added from that 1,300 acres up to into the park. The Town has a vested interest in what happens on that Master Plan. Commissioner Craig advised that the Town is a partner as where the Conservancy is a stakeholder and partners have more input than stakeholders.

AGENDA ITEM #10: DISCUSSION ON QR CODES AND SIGNS

Director Goodwin reported that the QR codes should be linking to the Town's website. The question is if the codes are actually linking to the site. Chair Myers stated that the last time he keyed on one, it did not go anywhere. Director Goodwin determined that the question that needs to be answered is, if the existing code that is on there can it be rerouted or does it need to be replaced with a new one, which will be a question for out IT guy.

AGENDA ITEM #11: DISCUSSION ON THE 2018-2019 MMPC BUDGET

Director Goodwin reported that the tentative budget goes before Council next Monday the 23rd. The portable restrooms were overlooked but that has been reinstated. The budget will go before Council on June 6th to be formally adopted. Commissioner Ruden stated that in connection with the restrooms, is the

watering the plants, is that in the budget? Director Goodwin responded that it is something that the Town is working with Blucor and J2 because now that there is no temporary tank up there and there is no water source. We are looking into if we can run a ground line from the fire hydrant across the surface and up to it. We are not sure if we have enough pressure there so there was a suggestion of putting in a solar powered booster to make that happen. The Town is getting ready to purchase a water buffalo (tow behind water tank) so that maybe what ends up happening. One suggestion was not to install the plants until water was connected, which maybe the most reasonable but not the most attractive.

AGENDA ITEM #12: UPDATE ON THE ADERO CANYON TRAILHEAD CONSTRUCTION PROJECT

All the horizontal work has gone really well and now they are starting the vertical process in the restrooms and the ramada installation. We have hit a number of issues such as cracking of the cement and the use of unapproved materials. The base of the restrooms was poured and there were a number of cracks. Instead of working with the Town to mitigate the issue, they went ahead and saw cut around the cracks, which is not going to be approved by the building official. We will be meeting with them on Tuesday and we will be issuing a formal communication from J2 and the Town to address the inconsistencies. They also used PVC where ductile iron was approved. Right now it yet remains to be seen if it will affect the overall timeline. They have to understand that they have to go through the inspection process and they had not requested these changes. They have since put in a request to change to PVC, but Director Goodwin does not know if that will be approved and if it is, there will need to be a price adjustment for the cost difference between using ductile iron and PVC. This is all for plumbing in the restroom building. Commissioner Ruden clarified that the correct term is concrete, as cement is flour that makes cake.

Below are Director Goodwin's responses to the Commissions questions:

- There have been no adjustments (pluses or minuses) to the contract as of yet.
- We will be building out to the cul-de-sac and they will have to adjust to us.
- Unless something monumental happens the cul-de-sac will not be paved before the Trailhead opens.
- The MCO deal of selling to Toll Brothers is official and the development agreement is public.
- The number of lots has been reduced from the original plot by either three or two. It will be no more and probably less than originally planned.

CSAC members left after the discussion of this overlapping item. MMPC returned to discussing the agenda as scheduled, starting with item #4

AGENDA ITEM #13: CONSIDERATION OF ADJOURNMENT

Commissioner Ruden made a motion to adjourn at 6:33 p.m., Commissioner Schadle seconded and the motion passed by unanimous vote.

McDowell Mountain Preservation Commission

By: _____
Bill Myers, Chair

Reviewed by: _____
Rachael Goodwin, Director of Community Services

Prepared by: _____
Jennifer Lyons, Executive Assistant

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the McDowell Mountain Preservation Commission Meeting held on April 18, 2018. I further certify that the meeting as duly called and that a quorum was present.

By: _____
Jennifer Lyons, Executive Assistant

Dated this 7th day of May 2018