

**TOWN OF PARADISE VALLEY
MUMMY MOUNTAIN PRESERVE TRUST
BOARD OF TRUSTEES
MINUTES OF MEETING**

APRIL 18, 2018

CALL TO ORDER:

Vice Chair Bernie Barry called the meeting of the Mummy Mountain Preserve Trust to order at 5:30 p.m. on Wednesday, April 18, 2018 in the Paradise Valley Town Hall Boardroom, 6401 E. Lincoln Drive, Paradise Valley, Arizona.

ROLL CALL

Answering the roll call were:

Bernie Barry
Ron Clarke
Fred Pakis
Phil Schneider

Joan Levinson was not present

ALSO PRESENT

Duncan Miller, Trust Secretary
Andrew Miller, Town Attorney
Kevin Burke, Town Manager
Council Member Julie Pace
Ad hoc member John Graham
Ad hoc member Teresa Zachariah arrived at 5:45 PM

Announcements

Trust Secretary Duncan Miller announced that the Town Council appointed residents John Graham and Teresa Zachariah to the Trust in anticipation of the amendments to the bylaws increasing the membership from five to seven. Until the amendments are official, they will serve as ad hoc members. The Boardmembers introduced themselves.

Approval of The Minutes from November 8, 2017

Motion and vote – After reviewing the minutes of the November 8, 2017 meeting, Mr. Clarke moved to approve the minutes. Mr. Schneider seconded the motion which passed by a vote of 4 – 0.

Discussion and Possible Action on Resolution 2018-01 Authorizing Trust Representatives to File a Court Petition to Amend and Restate the Mummy Mountain Preserve Trust Instrument.

Town Attorney Andrew Miller briefed the Board of Trustees on the process to amend the Trust Instrument. He stated that in November, the Trustees agreed to: 1) rename and rebrand the Mummy Mountain Preserve Trust to "Paradise Valley Mountain Preserve Trust"; 2) increase the number of board members from 5 to 7; and 3) amend the terms of office to align with other Town Committees. Following that meeting, Mr. Miller met with the outside attorney Robert Rosepink who drafted the original Trust Articles. Mr. Rosepink advised that since the Trust was set up as an irrevocable trust, it is necessary to file a petition in Superior Court to make any amendments. This provision was included to provide greater certainty that land donated to the Trust could not be sold or used for a different purpose at some point in the future.

Mr. Miller explained that Mr. Rosepink would draft the petition and file it with the Maricopa County Superior Court. The petition would include the Resolution adopted by the Mayor and Council and the Resolution adopted by the Trust setting forth the reasons for the proposed changes and affirming the Town's and the Trust's support.

Responding to questions from the Trust, Mr. Miller clarified that the name change would not jeopardize the Trust's IRS 501©(3) status. The Trust would simply note the name change on the next IRS 990 form. Secondly, he stated that the court order approving the changes would be recorded with the Maricopa Recorder so that a property title search will clarify the ownership name change.

He stated that the process would take six to eight weeks.

Motion and vote – Mr. Clark moved to adopt Resolution Number 2018-01. Mr. Schneider seconded the motion which passed by a vote of 4 – 0.

Update on Work Plan and Donation Strategies

Duncan Miller distributed draft maps of properties on Mummy Mountain, Camelback Mountain, and Phoenix Mountain Preserve. The maps showed properties currently preserved and those in which there is "interest in preserving". He also provided current ownership information. The Board discussed what constituted "interest in preserving" and agreed that it should apply to both undeveloped and developed parcels. Owners of developed property could be encouraged to donate conservation easements which would make it more difficult for a future owner to build a larger house or accessory structures on the property.

Andrew Miller updated the Board on research related to density transfers discussed at the prior meeting. He stated that the Town's current interpretation of the Zoning Code already permits owners to donate conservation easements while maintaining their development rights to use the entire parcel for floor area ratio and disturbed area calculations. He said Council Member Moore expressed a preference to codify staff's interpretation in the Hillside Code. Doing so would provide additional certainty to property owners who may wish to donate land to the Trust but may still want to remodel their home in the future.

Mr. Miller stated that the Council is currently considering amendments to the Hillside Code and this would be a convenient time to include this provision. The Board discussed the merits of the Code provision and unanimously agreed to support the amendment.

Council Member Pace led a discussion on donation strategies.

The Board considered the following work plan:

1. Update the donor information packet
 - Ms. Pace and Mr. Graham will help develop an updated donor packet which may include an executive summary, frequently asked questions, fact sheet on benefits of donation, list of appraisers, tax opinion.
 - Duncan Miller will forward a copy of the current packet and assist with the update.
2. Marketing and Outreach
 - Ms. Pace offered to write an article for the Paradise Valley Independent and the Town Reporter about the Preserve Trust and the benefits of donation. She asked for assistance in identifying past donors who could provide testimonials.
3. Recognition of past donors and potential fundraising opportunity
 - Mr. Clarke and Ms. Pace will work together on a proposal to recognize past donors
 - In addition to or as an alternative it was suggested that an "art piece" be created to recognize land donors and honor others who donate money to the Trust.
4. Potential Donor Outreach
 - Boardmembers will review the "interest in preserving" property owner lists and identify people they may know and can contact about possible donations.

Ron Clarke departed the meeting at 6:26 PM

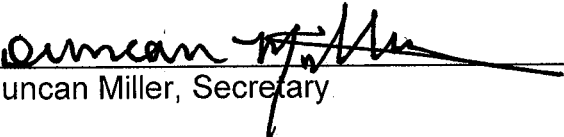
Next Meeting

The next meeting will be scheduled for during late May.

ADJOURNMENT

Motion and vote – Mr. Barry moved to adjourn. Mr. Pakis seconded the motion which passed unanimously.

Chair Levinson adjourned the meeting at 6:40 PM


Duncan Miller, Secretary