

**SEC. 12. PROHIBITION ON ALTERING THE NATURAL STATE OF PRESERVE LAND.**

A. No land designated as preserve land pursuant to section 8 of this article shall be altered from its natural state unless specifically authorized by a majority of the votes cast thereon at a general or special municipal election.

B. THIS SECTION DOES NOT APPLY TO:

- (1) New trails approved by the McDowell Sonoran Preserve Commission;
- (2) Maintenance on existing trails and trail heads that were completed or under construction prior to the effective date of this section;
- (3) Maintenance on trails added pursuant to subsection (B)(1) of this section;
- (4) Appropriate restoration efforts within the preserve;
- (5) Expansion of trail head parking facilities as depicted in each approved trail head plan; and
- (6) Completing the construction of the Little Granite, Fraesfield, and Pima/Dynamite trail heads, and any necessary trail connections, as depicted in each trail head's approved plan prior to the effective date of this section.

**SEC. 13. LIMITATIONS ON THE USE OF PRESERVE FUNDS.**

A. Preserve funds shall not be appropriated or spent by the city for any purpose other than the acquisition of preserve land, the building of new trails as authorized by section 12(B)(1) of this article, or the servicing of any principal, interest, or appropriate costs related to bonds issued against preserve funds, unless specifically authorized by a majority of the votes cast thereon at a general or special municipal election.

B. This section does not apply to funding improvements that existed prior to the effective date of this section or those authorized by sections 12(B)(1), 12(B)(5), AND 12(B)(6) of this article.

C. for purposes of this section, "Preserve funds" means all funds generated by:

- (1) The sales tax increases authorized by the passage of proposition 400 in 1995 and ballot question 1 in 2004;
- (2) Any future net increases in city revenue authorized or imposed for purposes of acquiring or maintaining preserve land; and
- (3) The proceeds from any future sale of municipal or general obligation bonds for purposes of acquiring land or constructing trails and trail heads for the preserve.