SUMMARIZED MINUTES

CITY OF SCOTTSDALE
TRANSPORTATION COMMISSION
REGULAR MEETING

THURSDAY, OCTOBER 20, 2011

KIVA – CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Chair Weiss called the Regular Meeting of the Scottsdale Transportation Commission to order at 6:03 p.m.

ROLL CALL

PRESENT:
Josh Weiss, Chair
Terry Gruver, Vice Chair
Paul Holley, Commissioner
Donald Maxwell, Commissioner
Steven Olmsted, Commissioner
Paul Ward, Commissioner

STAFF:
Dave Meinhart, Transportation Director
Rose Arballo, Transportation Commission Coordinator
Madeline Clemann, Transit Supervisor
Susan Conklu, Transportation Planner
Sarah Ferrara, Public Information Officer
John Kelley, Transportation Planner
Reed Kempton, Principal Transportation Planner

2. APPROVAL OF MEETING MINUTES

- Study Session of the Transportation Commission – September 15, 2011
- Regular Meeting of the Transportation Commission – September 15, 2011

COMMISSIONER HOLLEY MOVED TO APPROVE THE STUDY SESSION AND REGULAR MEETING MINUTES OF SEPTEMBER 15, 2011. VICE CHAIR GRUVER SECONDED. THE MOTION CARRIED UNANIMOUSLY SIX (6) TO ZERO (0).

3. PUBLIC COMMENT

No public comment was received.

4. HIDDEN HILLS EASEMENT

Ms. Conklu presented background and history information on discussions regarding access of 145th Way in the Hidden Hills neighborhood since 1982 thru current, and mentioned that public input has been received. Discussion with the Trails Subcommittee on October 6th, resulted in a recommendation to the Transportation Commission "that the non-motorized vehicle access easement be suspended temporarily until such time as connectivity to Fountain Hills can be obtained, or until the Transportation Commission and/or City Council determine that other circumstances warrant an earlier reinstatement of the easement. Additionally, it is requested that an agreement be signed by the Hidden Hills Homeowners' Association committing to support reinstatement of the easement under the conditions as stated."

Ms. Conklu reviewed the City's ordinance regarding speed enforcement on public streets and explained that this ordinance is too vague to use on private streets, which includes 145th Way. Ms. Conklu explained that most recent information collected involves private property located to the north of 145th Way in Fountain Hills. This property contains an easement that was dedicated to the City of Scottsdale for similar uses as to what is on 145th Way and no construction for public access has taken place. It was added that the Town of Fountain Hills supports the connection of this trail and will acquire the necessary bike/pedestrian access easement when the property is developed.

Chair Weiss opened the floor for public comment.

Larry Cole, resident in Hidden Hills for five years, expressed a safety concern with the increased use of cyclists of this easement and cyclists going up and down the hill with no where to go. Due to a lawsuit he experienced a few years ago as a result of an accident with a cyclist, Mr. Cole also expressed a concern with the liability risks for both drivers and cyclists.

Sandra Goldenberg, representative of Hidden Hill's Homeowners Association (HOA), provided a brief history of the City of Scottsdale and Hidden Hills HOA efforts to allow non-motorized vehicles to have access to commute to and from Fountain Hills along with efforts made to address safety and speeding concerns of cyclists and drivers on 145th Way. In addition, she mentioned that although public outreach has been done to try to address these concerns, cyclists continue to not adhere to the rules of the road and safety concerns still exist. Ms. Goldenberg concluded that for the record, the HOA supports the Trails Subcommittee's recommendation to temporarily close the easement until a road to Fountain Hills is constructed.

Jack Quinn, cyclist and resident of the City of Phoenix, expressed he would like to see the easement stay open and asks that the second part of the Trails Subcommittee recommendation be taken into consideration.

James Winebrenner, Scottsdale resident, cyclist, and representative of Bicycle Haus Racing, commented that his business continues to educate cyclists to try to help address the concerns of the HOA. The recommendation to temporarily suspend the closure of this easement is not supported and he is anxious to see this connector open. It was mentioned that in an effort to try to expedite the completion of this connection, Bicycle Haus Racing is exploring private fundraising opportunities. However, there is a concern that if cyclists wait for the developer to complete the connection, cyclists and residents could be waiting for a long time and fundraising opportunities could be more difficult to obtain. Mr. Winebrenner asks that the Transportation Commission reconsider the motion of the Trails Subcommittee.

Susan Owens, a six-year resident of Hidden Hills, commented she is strongly in favor of the recommendation of the Trails Subcommittee.

Philip Wilson, expressed a concern that all of the efforts taken to try to educate the cyclists and any improvements that have been gained and have been made regardless of the representation of the homeowners will be of no value by temporarily suspending the easement until a connection is built. He appreciates the recommendation of the Trails Subcommittee, however, would suggest that a homeowner sign an agreement to not take action while the suspension is in place. He is concerned that a homeowner could approach the City of Scottsdale and Fountain Hills in the future to deter Fountain Hills from granting the easement. Mr. Wilson also expressed a need for clarification on who is responsible for the easement in Fountain Hills.

Robert Barkoff, Hidden Hills resident, indicated that documents have been submitted documenting a case for keeping the easement open. The conclusion reached was that no action should be required, specifically for any safety concerns or for the concerns of the residents. Public record acknowledges it has been a safe place for cyclists for over a number of years. Weekends are monitored for an hour at a time every day and over 50% of the cyclists do not go in. He also commented that as an alternative to the connector, a path or trail does not suffice as a connector for cyclists. Mr. Barkoff feels that over time, a plan to ensure safety at little or no cost to the City that would keep the Master Plan in place could be offered.

John Morrill, resident of Hidden Hills, expressed concern with cyclists speeding and riding on sidewalks. He explained that when residents move into the community, that is when issues are observed. He asks that the Commission evaluate the concerns of homeowners against the public good for people using 145th Way. He pointed out that over one mile of street outside the gate has no concerns, and why should .8 of a mile inside the gate be critical for cyclists when it poses safety concerns. He feels that without a path to Fountain Hills, the value of the easement to the City is zero and that it is not credible that cyclists have to ride on this small section for training. People who own properties are being disturbed because cyclists have little benefit to use this street because it does not go anywhere. Mr. Morrill feels that the rights of ownership for homeowners should be considered and does not understand why .8 mile is so critical.

Non-speaker Terry Petrzelka, submitted written comments that he “wants the easement to be put on hold.”

Much discussion ensued between staff and the Commissioners regarding questions and concerns on:

- what rights the City has to the new easement on the property in Fountain Hills,
- police enforcement of a private street,
- notification to new homeowners of the temporary suspension of the easement,
- possible future development on the easement in Fountain Hills, and
- liability of the new easement that was dedicated to the City of Scottsdale.

With regards to ways in notifying the new homeowners, Ms. Goldenberg informed the Commission that the HOA cannot modify their CCRs or bylaws without a two-thirds vote of the homeowners. However, notification can be provided in the form of a separate written memo to be included in the new homeowner’s packet and the HOA’s website. In addition, concerns were raised regarding the cost and funding of improvements to the newly identified easement in Fountain Hills should the City be responsible to construct a

temporary connection at this section of the easement in the Town of Fountain Hills. Mr. Meinhart commented that should the City make the improvements to complete the easement to allow access to the Town of Fountain Hills, an approximate preliminary cost estimate for the City to make these improvements would be about $250,000 in the event the City has enough rights to build something in the Town of Fountain Hills.

Mr. Meinhart made the Commission aware that staff does not have all the answers regarding the new easement and that further research is being conducted by department staff and the City's Legal Department.

Commissioner Holley commented he feels there could be some alternatives to expedite the improvement on 145th Way and Eagle Ridge to move along with the connection to Fountain Hills. He also feels the temporary closure of the easement is not a good permanent solution in the long term.

Chair Weiss commented it is important to have connectivity of paths and does not want to have paths that do not go anywhere. He feels that once the connection is made, this will not become a training hill as cyclists will then be able to go into Fountain Hills. He also feels that connectivity will hopefully reduce some of the bike traffic. Chair Weiss commented that focus needs to be made on connectivity; whether it be on 145th Way or perhaps another area that will provide a training hill for cyclists. He is happy to see that the biking community and the residents of Hidden Hills want to work with each other and the City of Scottsdale to try to get connectivity.

Chair Weiss called Ms. Goldenberg to the podium to confirm that on behalf of the HOA, there is a willingness to sign an agreement stating that the HOA will not oppose reopening the easement if and when the connection to Fountain Hills is completed. He noted that this is something that was stipulated within the motion of the Trails Subcommittee as a compromise that they want to move forward on this issue. Vice Chair Gruver clarified the agreement of the Hidden Hills HOA by referring to the motion as submitted by the Trails Subcommittee on October 6th.

COMMISSIONER MAXWELL MOVED TO ADOPT THE MOTION AS RECOMMENDED BY THE TRAILS SUBCOMMITTEE AT THEIR OCTOBER 6TH TRAILS SUBCOMMITTEE MEETING THAT THE NON-MOTORIZED VEHICLE ACCESS EASEMENT BE SUSPENDED TEMPORARILY UNTIL SUCH TIME AS CONNECTIVITY TO FOUNTAIN HILLS CAN BE OBTAINED OR UNTIL THE TRANSPORTATION COMMISSION AND/OR CITY COUNCIL DETERMINE THAT OTHER CIRCUMSTANCES WARRANT AN EARLIER REINSTATEMENT OF THE

EASEMENT. ADDITIONALLY, IT IS REQUESTED THAT AN AGREEMENT BE SIGNED BY THE HIDDEN HILLS HOMEOWNERS' ASSOCIATION COMMITTING TO SUPPORT REINSTATEMENT OF THE EASEMENT UNDER THE CONDTIONS AS STATED. VICE CHAIR GRUVER SECONDED. COMMISSIONERS HOLLEY, OLMSTED AND WARD OPPOSED. THE MOTION FAILED THREE (3) TO THREE (3).

COMMISSIONER OLMSTED MOVED TO TABLE THIS ITEM FOR FURTHER DISCUSSION AT THE NEXT MEETING UNTIL STAFF HAS HAD AN OPPORTUNITY TO EVALUATE THE NEW EASEMENT INFORMATION FROM FOUNTAIN HILLS AND COME BACK WITH OTHER POSSIBLE ALTERNATIVES. COMMISSIONER HOLLEY SECONDED. VICE CHAIR GRUVER AND CHAIR WEISS OPPOSED. THE MOTION PASSED FOUR (4) TO TWO (2).

5. TRANSIT VEHICLE REPLACEMENT PLAN

Mr. Meinhart indicated this is the start of conversations on what type of vehicles are selected for acquisition knowing that the City's existing transit fleet vehicles are reaching the end of their life cycle.

Mr. Kelley presented an overview on the partial fleet replacement due in 2013 per Federal Transit Administration guidelines and options available. Mr. Kelley provided detailed information on the City's current service/vehicles, ridership, vehicle capacity, and vehicle types used on all three trolley routes in Scottsdale. He also reviewed new vehicle specifications, vehicle equipment options, power train options, and cost comparison estimates based on current services for a cutaway vehicle versus a bus or trolley vehicle.

A few things noted were that the replacement of cutaway vehicles is every three years, LNG and CNG fuel costs are high due to no accommodations to fuel all vehicles, trolley appearance, and capacity is lost if cutaway vehicles are used due to the need of having to use twice as many vehicles to run the three routes. In addition, if buses are ordered, a vinyl wrap can be used to make it appear like a trolley, they are more comfortable, and easier to maintain. Research also shows that riders choose to ride a bus rather than a trolley because they are more comfortable, and the need for low flooring and/or a handicap ramp.

Regarding funding on the capital side for acquisition of these vehicles, there is an advantage to having some federal grants and Proposition 400 money available whereas challenges with operating costs exist on how service is maintained and limitations on how much of the sales tax can be allotted to operations. In addition, if the cost difference is higher on the capital side, at times, it is easier to find capital funds.
In summary, Mr. Kelley indicated there are a number of choices to be made that staff would like the Commission to review and provide input on as the procurement decision-making process moves forward.

Staff addressed questions and concerns from the Commissioners regarding discussions with other agencies in the valley that have the same or similar vehicles as Scottsdale, cost of maintenance for trolleys versus buses, funding for purchase of vehicles, and the use of one type of vehicle on all routes rather than using different types of vehicles.

Chair Weiss commented that from a branding standpoint and from the positive experience from tourists in the use of trolleys in Scottsdale, further options other than a vinyl wrap on buses should be researched along with pricing.

This item could be agendized again for December for additional review and possible recommendation from the Commission.

6. TRANSPORTATION MASTER PLAN UPDATE

Mr. Meinhart introduced Mr. Kempton who will review a tentative schedule for updating the Transportation Master Plan (TMP). This update will need to be done in the near future; however, at this time staff is seeking feedback on the key items list of tasks and the estimated timelines for completing the various tasks. There is no set date as to when this TMP update process will begin, but it is suggested to start after the General Plan update has gone to the voters, likely in March 2012.

Mr. Kempton gave an overview on the TMP update process and briefly reviewed the TMP update that was completed in January 2008. He mentioned that a new element will be added for trails. There will also be greater focus on the implementation program, in light of new economic realities, which will necessitate financial forecasting and re-evaluation of project priorities. In addition, focus will be made on maintenance of existing and planned improvements to determine whether there are sufficient resources to add more inventory to the maintenance program.

Mr. Kempton reviewed the tentative schedule and asked the Commission for input on what might have been overlooked at the last update and what they feel should be added. Staff is looking at a 14-month completion period.

Chair Weiss mentioned that it is his desire to contribute to this process before his term on the Commission ends in June of 2012. Some City staffs are asking if the TMP update process should wait until after the upcoming elections. Others ask whether to wait until the City Council votes on the General Plan that is tentatively scheduled for March. Chair Weiss believes the upcoming election is not reason to stop discussions.

Commissioner Holley suggested that discussions could begin with a review of the goals and objectives of the TMP update process. Commissioner Olmsted and Chair Weiss concurred. Mr. Meinhart commented this could be tentatively set for the Commission meeting in December.

7. DRAFT FUTURE BOND PROJECT LIST UPDATE

Mr. Porell reviewed staffs' efforts over the last several weeks in trying to fine tune the short list of bond priority projects. This list will be presented to the Bond Task Force for further review and discussion in January 2012.

Mr. Porell described the near term Capital Improvement Program (CIP) priorities and reviewed the Commission's recommendations from the last Commission meeting in which it was suggested that (1) projects be more specific and less programmatic; (2) projects should be a bold statement of the Transportation Policy; and (3) location and goals of each project should be more specific. As a result of this recommendation, Mr. Porell reviewed the identified programmatic elements that will not be included in the list of bond projects.

With regards to funding, Mr. Porell commented the total list of projects that have been identified at this time total approximately $35M. It is felt that this amount may be in the range of what may be appropriate for transportation. In addition, the Bond Task Force is receiving input from all major departments in the City on their capital needs and will be assessing what an appropriate level of bonding will be put in place and presented to the voters and City Council.

Staff addressed questions and concerns from the Commissioners regarding transit projects and bus stop improvements not being identified in the project list, safety

concerns and improvements to the DC Ranch bridges over the Reata Pass Wash, and Chaparral Road streetscape project with regards to the section of the roadway between Scottsdale and Miller Roads.

8. OTHER TRANSPORTATION PROJECTS

Mr. Meinhart focused more on awards and recognitions and announced the following:

- In September, Valley Forward held their 31st Annual Excellence Awards ceremony in which awards were granted for the Soleri bridge and plaza project and the 96th Street improvement project.
- Mr. Kempton was nominated as bike professional of the year by the president of the League of Bicyclists Association. Although he was not a winner, Mr. Kempton is recognized for his dedication and talents as a long-time bike planning professional.

Mr. Meinhart also mentioned that City Council was presented with a design contract for the Northsight Extension project that would connect a private road between Hayden and Frank Lloyd Wright to Northsight on the south. City Council recommended moving forward with a signal, not a roundabout, at this location. Followup meetings will be conducted regarding what impacts could be associated with properties and businesses in the area.

Transportation staff is working with Economic Vitality on the recommendation for a second year of service for the Hospitality Trolley route. This service has been recommended by the Transportation Commission, Tourism Development Commission and Council Economic Development Subcommittee. It is hopeful that this will move forward and staff will continue to work closely in partnership with Economic Vitality and the Convention and Visitors Bureau to make it a success.

Chair Weiss suggested that staff provide the Commission with any items of discussion or action taken by the City Council at their meetings that involve transportation related issues. This could provide Commissioners an opportunity to attend or provide input on such issues at the Council meeting.

9. PUBLIC COMMENT

No public comment was received.

10. IDENTIFICATION OF FUTURE AGENDA ITEMS

Chair Weiss stated that potential items for discussion at the December meeting could include Hidden Hills and the Neighborhood Traffic Management Program.

13. ADJOURNMENT

With no further business to discuss, Chair Weiss adjourned the Regular meeting at 9:02 p.m.

SUBMITTED BY:

Rose Arballo
Transportation Commission Coordinator

***NOTE: These are summary action meeting minutes only. A complete copy of the audio/video recording is available at http://www.scottsdaleaz.gov/boards/Transp.asp**