



**SUMMARIZED MINUTES  
CITY OF SCOTTSDALE TRANSPORTATION COMMISSION  
REGULAR MEETING  
THURSDAY, JUNE 18, 2009  
KIVA - CITY HALL  
ONE CIVIC CENTER  
3939 DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA 85251**

**CALL TO ORDER**

Chair Howard called the regular meeting of the Scottsdale Transportation Commission to order at 6:05 p.m.

1. **ROLL CALL**

**PRESENT:** William Howard, Chair  
Josh Weiss, Vice Chair  
Terry Gruver, Commissioner  
Donald Maxwell, Commissioner  
Howard Sukenic, Commissioner  
Paul Ward, Commissioner

**STAFF:** Mary O'Connor, Transportation General Manager  
Dave Meinhart, Transportation Planning/Transit Director  
Commander Johnny Cervantes, Police Department  
Madeline Clemann, Transit and Parking Program Manager  
Annie DeChance, Public Participation & Outreach Manager  
Teresa Huish, Principal Transportation Planner  
Rose Arballo, Transportation Commission Coordinator  
Raun Keagy, Citizen and Neighborhood Resources General Manager  
Kathryn Kleinschmidt, Traffic Engineering Analyst  
Paul Porell, Traffic Engineering and Operations Director

**SPEAKERS DURING PUBLIC COMMENT (IN ALPHABETICAL ORDER):**

Sara Aman  
Sara Johnson  
Greg Puckett

Suzan Curtin  
Sonnie Kirtley  
John William Stumm

2. **Approval of Meeting Minutes**

- Study Session of the Transportation Commission - May 21, 2009
- Regular Meeting of the Transportation Commission - May 21, 2009

**COMMISSIONER MAXWELL MOVED TO APPROVE THE STUDY SESSION AND REGULAR MEETING MINUTES OF MAY 21, 2009 AS PRESENTED. COMMISSIONER WARD SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

3. **Public Comment**

There were no public comments on non-agendized items.

4. **Proposed Transit Service Modifications**

Ms. Clemann reviewed new options for proposed transit service modifications that were based on direction from the Commission and the City Council. At the May meeting, the Commission was presented with the following options:

- Eliminate the Route 66 segment to Fashion Square.
- Eliminate the residual portion of Route 84.
- Eliminate Route 114.
- Decrease the downtown trolley service to 20 minutes, and reduce evening hours to Thursdays only.
- Change Saturday service schedule to match Sunday on the north/south routes.
- Reduce Loloma Station hours to meet peak hour user needs.

At that meeting, citizens expressed opposition to downtown trolley service intervals increasing to 20 minutes. They asked that Route 106 and 114 be combined, and that the City consider advertising on the trolley. They wanted Route 512 to pick up riders on Shea on its way to Fountain Hills. Other suggestions were to consider reducing weekend service on Route 114, interlining Routes 76 and 84, and eliminating all Sunday service rather than eliminate Route 114.

Ms. Clemann explained that in response to the public comments, staff identified small route changes to the downtown trolley that would allow 15-minute intervals, while still meeting the cost saving goals. Public outreach efforts confirmed there is substantial support for the proposed 15-minute service and routing as a way to realize required savings while making minimal modifications to the route.

Staff also proposed broadening the loop on the east end of Route 106 so that it goes north on 124<sup>th</sup> Street past the BASIS School, Palomino Library, and Desert Mountain High School. It would be routed to avoid having the students wait through a 20-minute driver layover. In addition, trips would be added to the Route 106 (two morning and two afternoon) to accommodate the students' schedules (currently there are two a.m. and two p.m. trips). In order to avoid requiring students to cross Shea Boulevard at 90<sup>th</sup> Street in the afternoon, the bus could pick them up at the pedestrian tunnel west of 92<sup>nd</sup> Street instead.

Ms. Clemann noted a timing issue. Because of 90-day and 30-day contract requirements for route change notifications, Route 114 may have to continue for several months. Staff hopes to have all the changes made by the October service bids for transit operators. The cost of this expense can be offset by cost savings resulting from Tempe's rate reduction. Ms. O'Connor clarified that Scottsdale contracts with Phoenix on Route 106, and Tempe on Route 114. They need time to work with the drivers to make routing changes. Staff proposes to run Route 114 at a minimal level until Route 106 can modify its route. Tempe requires a 30-day notice.

Ms. Clemann responded to public comments from the last Commission meeting. Staff estimates that advertising could generate between \$8,000 and \$16,000 per year, including interior and exterior trolley ads. Utilizing Route 112 for service on Shea would increase cost tremendously because the City would have to pay for the mileage from Tempe to Scottsdale on each trip (currently the bus is routed via 202 and the Beeline Highway to Fountain Hills). Reducing weekend service on Route 114 would only save \$103,000, which is not enough to meet the budget requirements. Re-routing Route 81 would lower the level of service from 30 minutes to 60 minutes; and shortening Route 81 could jeopardize future regional funding. Interlining Routes 76 and 84 would be difficult given that they both operate on separate discrete corridors, requiring service to shift back and forth to each corridor. Eliminating all Sunday service would save approximately \$800,000 per year, but it would affect more riders on all routes than the elimination of Route 114 would.

Chair Howard invited public commentary.

**John William Stumm** said the proposed modifications are an improvement, especially the additional peak period runs in the morning and afternoon. A study should be done to discover how the fare increase would impact funding. Mr. Meinhart said Scottsdale is working with Valley Metro and the City of Tempe on ridership projections. The budget was prepared assuming that additional fares would help offset some of the cost. The amount of additional revenue is estimated at \$250,000 for the coming year. He noted that the actual fare for the bus routes is set by the regional authority and are uniform throughout the region. In response to Commissioner Sukenic's inquiry, Mr. Meinhart confirmed that the proposed changes are expected to meet the requirement that at least \$1.55 million is saved in transit over the course of FY 2010.

Vice Chair Weiss clarified that the Commission is voting on the changes that were made over the past two meetings, not just the two changes that were made following the May meeting.

**COMMISSIONER SUKENIC MOVED TO APPROVE THE PROPOSED TRANSIT SERVICE MODIFICATIONS AS PRESENTED. COMMISSIONER WARD SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

##### **5. Neighborhood Traffic Management Project (NTMP) Requests**

Ms. Kleinschmidt presented the NTMP request for a project on 86<sup>th</sup> Street from Highland to Camelback Road. The location met all of the criteria, and one exception was made for a speed criterion. The residents chose to use the petition process. The interest form was completed in 2004. In 2005, the average daily traffic was 1,018, average speed was 30 m.p.h., the 85<sup>th</sup> percentile speed was 35 m.p.h., and 49% of vehicles traveled over

30 m.p.h. One exception was allowed for the percent of vehicles over 35 m.p.h. at 10%. Residents requested that the Highland/86<sup>th</sup> Street intersection be analyzed for a four-way stop. She noted that Navajo Elementary School is on the corner of Granite Reef and Camelback Road.

Residents were presented with a plan in November of 2008. Petitioners were able to gain 72% support with 43 homes signing. The plan calls for a traffic calming device to be installed on 86<sup>th</sup> Street, with one south of Hazelwood and one south of Meadowbrook. The devices would be made of 100% recycled tires and bolted to the roadway. They are split for drainage, and allow safety vehicles to straddle them. There is enough room to allow bicycles to pass unimpeded. A speed feedback sign would be installed for southbound traffic between Chaparral and Highland. The cost of constructing the two speed tables would be \$14,000, new signing and striping would cost \$3,000, and the speed feedback sign costs \$5,000.

Chair Howard invited public commentary.

**Suzan Curtin** requested information on the materials used in the speed tables.

**Sara Johnson** said the large numbers of pedestrians on 86th Street are threatened by the speeders who use the road as a thoroughfare, instead of going to Granite Reef, which has a 35 m.p.h. speed limit. The data is from 2005 and the situation has probably worsened since then. She said she stopped circulating the petition once the approval rate reached 72%, since the remaining residents were harder to reach.

**Greg Puckett** opposes the speed tables. In the 48 years he has lived there, he cannot recall a single accident at Navajo School. He felt the existing speed tables on 82<sup>nd</sup> Street are ineffective and the proposed ones would be a waste of taxpayer dollars.

In response to Commissioner Ward's inquiry, Mr. Meinhart said an average of \$500,000 per year has been budgeted in the CIP towards neighborhood traffic management. Ms. O'Connor said the cost of each project varies considerably depending on the requirements. Staff has worked to spread the projects more broadly by using lower cost options. Commissioner Ward inquired about using stop signs instead. Ms. Kleinschmidt responded that stop signs must meet Federal safety guidelines to qualify. This intersection did not meet the requirements for a four-way stop. Ms. O'Connor added that stop signs are not as effective as calming devices in slowing speeders over the long term.

Commissioner Ward noted that the disabled community does not like these devices, and they could generate a lot of noise. Other options might not be as obtrusive. Ms. O'Connor responded that Scottsdale is using tables that are designed to have a lower profile that lessens the pain anyone might feel from going over them. They are not like the more familiar speed bumps or older speed humps. They can also be easily adjusted if necessary. Ms. Kleinschmidt added that the tables were also chosen because they respond to the drainage constraints at the site.

Vice Chair Weiss requested that future study data reflect current conditions. Chair Howard noted that the amount of money for street construction will fall substantially, while the NTMP is budgeted to remain the same. He questioned whether \$500,000 is the best use of the funds, considering the \$5 million construction cap next year. Mr. Meinhart noted that the cost of widening a one-mile stretch of roadway could range from \$10 million to \$15 million. Programmatic funds, including the NTMP, will be funded through the transportation tax, while

major intersection and roadway improvements would rely more on bond elections. The average cost per improvement is dropping, which may lead to less money being necessary. Ms. O'Connor added that the City is working through a backlog of NTMP projects, and the budget was set to allow adequate funds to address them. The fund is smaller than it was five years ago. The NTMP allows the City to work closely with neighborhoods throughout the city, and can be used for neighborhood revitalization.

**COMMISSIONER MAXWELL MOVED TO APPROVE THE FUNDING OF THE 86<sup>TH</sup> STREET NEIGHBORHOOD TRAFFIC MANAGEMENT PROJECT AS PRESENTED. COMMISSIONER GRUVER SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

## 6. Noise Abatement Policy

Ms. Huish presented the draft noise abatement policy that:

- Recommends working with residents to study and mitigate noise issues when those noise issues result from direct City actions.
- Relies on published, adopted plans for awareness of the future roadway system.
- The City will undertake a noise impact study if City action has caused an unanticipated increase in noise levels, and would recommend the best methods of mitigation.
- Uses the ADOT threshold for noise abatement, which is 64 dBA for regular noise-sensitive land uses.
- Roadway noise abatement would not be considered if the noise level is 57 dBA or less.
- Take into consideration whether or not the road is surfaced with rubberized asphalt.
- Noise abatement will include vegetation, berms, sound walls or some combination. The barriers should reduce noise levels by at least 5 dBA.

Mr. Keagy said on July 2, Council will be asked to provide direction on whether to pursue a citywide noise ordinance or not. The three stakeholder groups involved are residents, hoteliers, and entertainment establishments. Tourism Development and the Chamber of Commerce have also provided further recommendations. The guiding principle is to create a community that recognizes that activity and vibrancy is important, but also recognizes that quality of life is just as important. In addition to noise, staff is also targeting unwanted parking in neighborhoods and trash that have been associated with downtown businesses.

Currently, noise in Scottsdale is addressed by Code Enforcement through the zoning ordinance. All other noise issues are regulated through disturbing-the-peace statutes in the City code, and enforced by police officers. Typically, that statute will not come into play until after 10 p.m. Staff looked at peer cities to see how they addressed these types of issues. Some have no noise ordinance. San Diego created a systems-in-place approach. They created a stakeholders group to establish relationships with the business community. In a typical case, a resident with a complaint can call a business manager directly to resolve the issue. San Diego has a noise ordinance, but rarely uses it because the system works well.

A noise ordinance has the advantage of being predictable, but has the downside of taking away the reasonable-person standard. There are two types of ordinances in use. One is based on a reasonable person standard when someone is aggrieved. The other type is

regulatory, and establishes very specific levels for various parts of the city. The courts prefer the latter method because it is easier to judge. Scottsdale hoteliers and bar owners have created a best practices system to address noise issues as they happen.

Chair Howard invited public commentary.

**John William Stumm** said he has worked with the City of San Diego on noise control. If Scottsdale uses an ordinance, the regulatory model is much easier to work with. He recommends a proactive approach and doing noise studies prior to making alterations. The City must also budget for enforcement; otherwise, there would be no point in having an ordinance.

**Suzan Curtin** said the policy should specify what is meant by "City action," to include not only road widening but also any improvement that increases traffic flow. The word "unanticipated" is too ambiguous and could lead to misuse. It is not reasonable for the City to expect residents to research growth statistics through plans and traffic studies. Neighborhoods in south Scottsdale have had to deal with growth without the benefit of noise mitigation, because there have been no road widening projects. Nothing in the policy specifies a spending cap per benefited house. Without such a limit, the money will continue to flow to north Scottsdale, leaving nothing for the southern neighborhoods.

**Greg Puckett** said he has encountered far fewer near collisions since he started riding with open pipes on his motorcycle, because cars can now hear him, if they do not see him. A decibel-based ordinance would threaten events such as Arizona Bike Week, which brings a lot of money into the community.

Chair Howard noted a comment from Sonnie Kirtley saying that Code Enforcement must be written so that the police can be proactive, rather than waiting for residents to complain. Violation fines must be predictable, and should increase greatly after repeated violations.

Commissioner Gruver inquired about doing a study before any modifications occur to a roadway. Mr. Meinhart responded that the City's practice has been to conduct a noise study before road widening projects to model existing conditions and project future conditions. Commissioner Gruver agreed it was a good idea to take out the word "unanticipated" and proposed new language.

Vice Chair Weiss inquired about the Police Department's position on this issue. Commander Cervantes responded that the Department is prepared to do whatever Council determines is necessary. The policy, however, would present enforcement problems. Officers would need additional training on how to use noise-monitoring equipment. Noise enforcement would have to be weighed against the priorities at any given time. It could sometimes be difficult to identify which person is violating the noise threshold if there is a large group making noise at once.

Vice Chair Weiss felt that special events like Arizona Bike Week should be granted some flexibility. He felt that a set decibel level was preferable to relying on judgment calls. There would have to be a clear set of guidelines to ensure that noise-measuring devices are consistent. Decibel levels would have to be delineated based on the circumstances such as whether the noise is coming from a bar or a vehicle stopped at an intersection.

Commissioner Sukenic felt that the police currently have enough tools available to them to handle situations at their discretion, and asked the Commission to stick to the task that Council has set. Commissioner Ward felt that the policy has changed for the better, though could benefit from additional wordsmithing. He noted that new technologies are proving to be just as effective as rubberized asphalt, and said the policy should not specify which tools are used. The effectiveness of rubberized asphalt declines over time, and politicians should not decide how projects are engineered.

Chair Howard noted three major areas of contention. The first is what happens when the City builds something that alters noise levels, which is what Ms. Huish addressed. The second is the issue of licensing and zoning, which is a civil issue. The third issue concerns noise generated by mobile sources. If the City is going to consider a noise ordinance, it must be consistent across all three areas. The Commission has not really addressed this third issue. He leans towards favoring codified decibels than relying on opinion, because the latter would be hard to enforce.

#### 7. **Commission Ordinance Revision**

Chair Howard said the previous version of the Commission ordinance focused mostly on traffic-issues and not on the larger transportation picture. This effort is to bring it up to date.

Ms. O'Connor noted that the Commission made an effort to update the ordinance last year, but two things have occurred since then. The Trails Task Force recommended the formation of a Trails Subcommittee of the Transportation Commission, and the City's staff reorganization process has begun. Under reorganization, the Transportation program will be part of a larger City division. The transportation function would be spread among various City work groups. This gives the Commission an opportunity to become the contact entity for the public should they encounter difficulty navigating the City structure. She noted that Vice-Chair Weiss came up with language to address the Commission's role as an umbrella organization for all transportation discussions. The City Attorney's Office will work with staff to form ordinance provisions for a Trails Subcommittee. The goal is to present the finished ordinance to Council on August 24.

Chair Howard added that the ordinance should recognize equestrian use as well as bicycle and pedestrian use.

#### 8. **Other Transportation Projects**

Ms. O'Connor said Scottsdale would soon know whether it has been successful in identifying an additional \$4.8 million from Federal transportation closeout funds through the MAG process that can be applied to the Scottsdale Road streetscape project. This will allow the reallocation of funds to other priority projects. ADOT has declared Scottsdale to be self-certified to manage Federal projects. This will enable the City to use Federal funds to augment the transportation budget. The City has begun design of a bus transit center at Scottsdale Road and McDowell. Staff is working with public outreach consultants to expand the outreach effort on the Pima Road project. Council will interview eight citizens for the two open Commissioner seats.

Mr. Meinhart reported that another section of the Cactus Road improvement project is in the final paving stages, which leaves only the 96<sup>th</sup> Street Bridge.

9. **Public Comment**

**John William Stumm** said the library system would no longer sell bus passes starting July 1. The library should continue to sell passes for three months to see how the transition to on-bus sales will work. If the City creates a noise ordinance, it should also include airport and helicopter noise, and noise from factories and generating stations. Motorcycles that make noise as a group should be penalized as a group.

10. **Identification of Future Agenda Items**

Chair Howard noted that agenda items have been set for ITS, for the intersection study requested by the Mayor, and for the ongoing noise ordinance.

Commissioner Ward requested an item on the Commission's role in the Design Standards and Policy Manual. In response to an inquiry from Commissioner Ward, Ms. O'Connor said the Council voted to withdraw from membership in the rail-planning agency for Valley Metro. They also asked staff to provide information about a survey of residents regarding their interest in rail. Commissioner Ward said the Commission should be allowed to provide some guidance and input on this issue in the future.

10. **ADJOURNMENT**

With no further business to conduct, Chair Howard adjourned the regular meeting at 8:12 p.m.

SUBMITTED BY:

A/V Tronics, Inc. DBA AVTranz.

**NOTE: VIDEO AND/OR AUDIO RECORDINGS OF SCOTTSDALE TRANSPORTATION COMMISSION MEETINGS ARE AVAILABLE FROM THE SCOTTSDALE TRANSPORTATION DEPARTMENT FOR UP TO SIX MONTHS FOLLOWING THE MEETING DATE.**