



**APPROVED
SUMMARIZED MINUTES**

**CITY OF SCOTTSDALE
TRANSPORTATION COMMISSION
REGULAR MEETING**

Thursday, January 16, 2020

**KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

1. CALL TO ORDER

Chair called the regular meeting of the Scottsdale Transportation Commission to order at 5:17 p.m.

2. ROLL CALL

PRESENT: Barry Graham, Chair
Pamela Iacovo, Vice Chair
Don Anderson
George Ertel
Michael Kuzel
B. Kent Lall
Mary Ann Miller

STAFF: Dan Worth, Executive Director, Public Works
Shane Stone, Management Assistant
Brent Stockwell, Assistant City Manager
Sam Taylor, Traffic Engineering Analyst
Susan Conklu, Senior Transportation Planner
Kiran Guntupalli, Principal Traffic Engineer

GUESTS: Yue Michelle Zhang
Cheyenne Walsh
Mike Baum

3. PUBLIC COMMENT

Mike Baum, owner of Dilla Libre Restaurant, addressed the construction project at Hayden and Thomas and how the eight-month process nearly destroyed the business. The City offered no

assistance. This sends the wrong message to small businesspeople by essentially telling them that their livelihood is expendable for the sake of progress. There should be representation of businesses operating in locations of planned construction and how projects such as this affect families and businesses.

Commissioner asked what the City could do differently in order to complete the project while keeping the business viable. Mr. Baum said he is not an engineer, nor a politician, but the situation has placed him so deep into debt that he does not know how to resolve it. The construction cut off access. In his experience, people looking for food options will avoid restaurants in construction areas at all costs. Perhaps tax incentives for such businesses would be helpful. His business lost money continuously for a period of eight months.

Commissioner asked about the number of businesses at the location. Mr. Baum estimated there to be 15 businesses, two of which were forced out of business, the Pig & Pickle and Ranch Market.

Commissioner asked whether the City provided access during construction. Mr. Baum stated that while the City may indicate such, there were constant challenges with access, due to construction worker and equipment presence.

Yue Michelle Zhang, Scottsdale resident, was present to speak on behalf of Ranch Market as a regular customer. The Market relocated from Phoenix to Scottsdale in 2017. The business took off in 2018, after significant capital investment and outreach. Then came the City's re-piping project and Dunkin Donut construction rebuild, followed by the City construction May through December. By the end of these projects, Ranch Market was out of business. Seven employees lost their jobs. While the City's construction cost was \$27 million, there was also significant cost to business, income and apartment damage. She requested that the City conduct comprehensive surveys for all merchants before such projects ensue. The City should also develop a construction mitigation program, where a fixed percentage of capital project funding goes to advocacy and financial assistance to small businesses. Future construction projects should be disclosed to tenants well in advance and they should be invited to participate in the process.

4. APPROVAL OF MINUTES

Regular Meeting of the Transportation Commission – December 19, 2019

Chair invited comments/changes. There no were recommendations.

COMMISSIONER MILLER MOVED TO APPROVE THE REGULAR MEETING MINUTES OF THE TRANSPORTATION COMMISSION ON DECEMBER 19, 2019, AS PRESENTED. COMMISSIONER ANDERSON SECONDED THE MOTION, WHICH CARRIED 6-0 WITH CHAIR GRAHAM, VICE CHAIR IACOVO AND COMMISSIONERS ANDERSON, ERTEL, LALL AND MILLER VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES. COMMISSIONER KUZEL ABSTAINED.

5. ELECTION OF OFFICERS

Chair noted that the bylaws require that election of officers occurs at the beginning of each calendar year. He called for nominations.

COMMISSIONER ERTEL MOVED TO NOMINATE COMMISSIONER GRAHAM FOR CHAIR AND COMMISSIONER IACOVO FOR VICE CHAIR. COMMISSIONER ANDERSON SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR GRAHAM, VICE CHAIR IACOVO AND COMMISSIONERS ANDERSON, ERTEL, LALL, KUZEL AND MILLER VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

6. TRANSPORTATION COMMISSION ANNUAL REPORT

Dan Worth, Executive Director, Public Works, referred members to their packets for the annual reports for the Transportation Commission as well as the Paths and Trails Subcommittee for consideration and approval.

COMMISSIONER ANDERSON MOVED TO APPROVE THE TRANSPORTATION COMMISSION ANNUAL REPORT OF 2019 AND THE PATHS AND TRAILS SUBCOMMITTEE ANNUAL REPORT OF 2019. COMMISSIONER KUZEL SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR GRAHAM, VICE CHAIR IACOVO AND COMMISSIONERS ANDERSON, ERTEL, LALL, KUZEL AND MILLER VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

7. PATHS AND TRAILS ANNUAL REPORT

This item was addressed under Agenda Item 6.

8. BICYCLE AND RELATED DEVICES ORDINANCE

Brent Stockwell, Assistant City Manager, reviewed that he had presented before the Commission several times in 2018 to discuss the Bicycle Ordinance, which eventually became the Bicycle and Related Device Ordinance. The intent of tonight's presentation is to review revisions and gather input. He introduced Shane Stone, Management Assistant, recently hired on December 9th. Mr. Stone provided a presentation, including an overview of scooters in Scottsdale during their first regulated year. Last November, City Council passed Ordinance 4372, which provided for the initial regulations of these devices and went into effect on December 13th of 2018. The report covers activity between that date and December 12, 2019. Staff has worked with scooter companies, local merchants and residents. Specifically, they have held meetings with scooter companies regarding entry into the market, special events and regulatory concerns.

Public input has been solicited via several avenues. A total of 221 emails to City Council members and the Mayor were received during the last year. Public sentiment was also reviewed through local social media trends and direct conversations with residents and merchants. Residents have also provided feedback through the City's Scottsdale EZ System. Mr. Stone reviewed the processes for utilizing the EZ System. In reviewing enforcement actions over the year, a spike was evident over the summer, as the Scottsdale Police Department utilized a directed enforcement effort. Outside of last summer, a cooperative education approach has been used by the City. Despite this effort, some issues persist. Licensing for scooter companies is seen as the next step.

Mr. Stone reviewed device parking issues and photographs of impermissible uses, including parking on sidewalks, blocking pedestrian pathways, devices parked in groups of five or more by one company and parking in landscaped areas. Permissible parking locations include bicycle racks. In terms of usage data, late night rides between 11 p.m. and 6 a.m. accounted for 12 percent of ridership and also accounted for 24 percent of emergencies responded to by EMS. The City's Transportation Safety Zone is located from 68th to Miller Road, west to east and north to south from Camelback to Osborn. This area is more highly trafficked by pedestrians and is designed to be especially walkable. Walkability is enhanced by slower automobile traffic and by keeping walkways clear for pedestrian use. The area is most safe when drivers and riders stick to the roads, leaving sidewalks for pedestrians.

There are two sides to consider when evaluating scooter use. On one hand, there have been 138 related emergencies, 22 citations written for dangerous riding and 246 citations overall. On the other hand, the devices have propelled visitors and residents more than 304,000 miles over more than 62,000 hours and 276,000 rides. The devices offer a transportation method for residents and visitors. It would be prudent for the City to ensure that the transportation is safe and enriching to the community.

The following are the recommendations from City staff for the update to the revised code:

- Prohibit riding by scooters, bicycles and similar devices on sidewalks within the City's Transportation Safety Zone
- Clarify that devices are to be parked in bicycle racks or designated areas
- Require parental and guardian permission for those under the age of 16
- Prohibit riding between the hours of 11 p.m. and 6 a.m.
- Allow for relocation and impoundment fees of \$25 and \$50
- Require licensing for proprietors

The plan is for the recommendations to go to City Council on or after February 18th.

Commissioner inquired as to whether the citations noted were issued to riders or the companies. Mr. Stone stated that 90 percent were to scooter companies for parking violations. There were 22 citations to individuals for moving violations.

Commissioner asked about the licensing requirements. Mr. Stone stated that the draft ordinance is still being developed. The proposal is for three levels of licensing a cost of \$10,000 (for up to 100 devices), \$50,000 (for up to 500 devices) or \$100,000 (for up to 1,000 devices).

In response to a Commissioner question regarding the City's cost for emergency responses, Mr. Stone stated that he did not have the exact figure, but could provide an estimate subsequent to the meeting.

In response to a Commissioner question, Mr. Stone confirmed that the ordinance also applies to people who own personal scooters.

In response to a Commissioner question, Mr. Stone confirmed that scooters may be parked on private property with written permission from the property owner and that this would apply to Airbnb properties. He quoted from the ordinance: "No bicycle, electrical bicycle, scooter or similar device shall be placed on private property without permission of the owner." Commissioner asked if a property owner could turn his front yard into a scooter parking station.

Mr. Stone said the owner would still be subject to other regulations. Staff is open to hearing suggestions from the Commission regarding the ordinance. Mr. Stockwell commented that the City has yet to see such an occurrence, but this can be further evaluated.

Commissioner commented that the prohibition for riding between 11 p.m. and 6:00 a.m. seems inappropriate for personal uses and inquired as to how this is being enforced. Mr. Stone stated that scooter companies in other markets have shut down their devices when hours are restricted. In terms of the personal use aspect, staff will take this under advisement. Commissioner made the point that if the prohibition is limited to the companies, the same restrictions need not be imposed on personal owners.

Commissioner asked whether restaurants or other owners are able to have more than five scooters parked on site at one time. Mr. Stone clarified that the rule of five scooters or less applies only to publicly owned property.

Commissioner noted the prohibition of not being able to park near bus stops and questioned this, as scooters can be a means to reach bus stops. Mr. Stone said that many bus stops have bicycle racks. Susan Conklu, Transportation Planner, clarified that the prohibition is against parking near bus stops, except in bike racks. One of the challenges is that scooters are being placed not only in bike racks, but also in the wheelchair waiting area. Mr. Stockwell stated that scooters are currently prohibited within bus stops. The ordinance revision would remove the prohibition and limit them only to racks or designated parking areas.

Commissioner commented on appreciating the changes made to Section 1785 on parking, specifically the items that were deleted, which would have been difficult to enforce.

Commissioner requested further information on the location and details of the scooter-involved emergencies. Mr. Stone stated that he would provide the information subsequent to the meeting. Mr. Stockwell added that the vast majority of complaints and incidents were within the Old Town area.

Vice Chair asked how the recommendations compare to Tempe and Phoenix. Mr. Stone stated that Tempe has instituted much higher licensing fees. More comparative information on regulation details can be provided subsequent to the meeting. Mr. Stockwell noted that by going to the City website and searching by keyword, scooters, those interested will find the report issued last fall, which will be updated soon. Included are links with a summary of other Valley City practices as well as a report by MAG on eScooter policies and practices in the region. Scottsdale has been a leader in terms of the ordinance addressing parking and operations. Scottsdale is sharing information with other cities and it is hoped that a clear standard will develop over time. Scottsdale is also working to align its ordinance to the State's recently passed statute on electric scooter use.

Commissioner asked how Scottsdale licensing fees compare with other cities. Mr. Stone stated that Tempe's fees are much greater, with a cost to coincide with a per-device, per-day approach. Mesa has a much lower licensing fee.

Commissioner asked about the presence of adequate signage to alert riders that riding on sidewalks is prohibited. Ms. Conklu stated that the Department would work with the police department or other staff to conduct targeted outreach on the sidewalks as well as through social media and other methods. Commissioner asked whether the Safety Zone is defined. Mr. Stockwell stated that there are Safety Zone signs at all entrances.

Commissioner pointed out that Ordinance Section 17-94 states that no one under the age of 14 years may ride without parental consent, however the presentation indicates that this applies to those 16 years and under. Mr. Stockwell stated that Section 17-86(e) indicates 16 years. Other sections of the Ordinance make reference to other types of devices. Section 17-94 does not refer to electronic bikes or scooters, but references motorized skateboards, electric miniature scooters and motorized play vehicles. Commissioner inquired as to enforcement. Mr. Stockwell stated that a section of the ordinance requires parents to provide written permission for underage youths to carry.

In response to a question from Chair, Mr. Stone confirmed that the prohibition against riding between 11 p.m. and 6 a.m. applies to any location in the City. Chair asked whether there was consideration to have the prohibition apply only to the Safety Zone. Mr. Stone said this was not addressed in the meetings he attended, but he could bring this up for consideration. Mr. Stockwell commented that when companies remotely shut down their scooters, they glide to a stop, as opposed to abruptly stopping. Areas can be geo-fenced as necessary to prohibit use in restricted areas. Such issues can be addressed through the licensing practice.

In response to a question from Chair, Mr. Stone said the data on emergencies was received from the Scottsdale Fire Department.

Chair commented that allowing scooters on sidewalks in certain areas and disallowing them in Safety Zones presents a gotcha situation for riders in terms of citation enforcement. Mr. Stone stated that the City Transportation Safety Zone was selected specifically because it could be easily identifiable. If there is a trend of citations coming in right at the border of the Safety Zone, this can be revisited. Mr. Stockwell noted that many companies encourage riders to avoid riding on sidewalks in the first place.

Chair shared appreciation that the City maintain reasonable licensing fees as compared to other cities.

Commissioner stated that it would be helpful for the police department to take the approach of first issuing warnings when the new Ordinance is enacted, as it applies to the Safety Zone. Mr. Stone confirmed that the police department has taken an educational approach to enforcement thus far.

Chair invited public comment.

Cheyenne Walsh requested to speak as a representative of Spin, one of the vendors currently participating in the Scottsdale scooter program and having operated for nearly a year so far. Spin has committed to work with local government to be compliant with all regulations. She discussed Spin hubs, which are designed as a location to park and charge scooters in designated parking locations. Spin was the only vendor in the City of Phoenix pilot program that was able to roll out the geofencing technology. She noted that Phoenix and most other cities do not allow scooters on sidewalks at all. There are options for enforcement, such as: Marking the scooters themselves to reflect no riding on sidewalks and notes included in the app. In regards to safety, Spin is willing to include bike lane options on some streets to create a safer rider experience. She also noted that many cities are limiting the number of vendors. This minimizes clutter and assists compliance.

In response to a Commissioner question, Ms. Walsh stated that Spin will provide the Spin hubs, as permitted by the City.

Commissioner suggested similar hub-type options for bicycles. Mr. Worth stated that the hubs are a new concept to the City. They have not yet been analyzed or assessed, nor are they addressed in the draft ordinance. Potential challenges include requiring rights-of-way to be designated specifically for private company use. This will require significant analysis. Commissioner commented that the Ordinance already provides guidance on where devices can be parked. All that remains is the question of providing appropriate racks or hubs. Mr. Worth clarified that the hubs are proprietary, intended for a single company's scooters. Ms. Conklu commented that a bicycle station study was done in 2018, which identified 25 parking locations in southern Scottsdale. This would be dependent upon public space and was not intended to be used for specific companies.

Mr. Stockwell summarized topics that were addressed today that will be the focus of additional research:

- Limitation of devices parked on private property
- Whether the restriction on hours of operation should not be applicable to privately owned devices
- Looking at the Transportation Safety Zone in more detail in terms of sidewalks and hours of operation outside the zone

Discussion ensued regarding the potential to recommend approval of the ordinance with reconsideration of some issues.

COMMISSIONER ANDERSON MOVED TO RECOMMEND THE ORDINANCE TO CITY COUNCIL WITH THE FOLLOWING NOTED CONCERNS: PRIVATE PROPERTY USE, HOURS OF OPERATION AND TRANSPORTATION SAFETY ZONE. COMMISSIONER KUZEL SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR GRAHAM, VICE CHAIR IACOVO AND COMMISSIONERS ANDERSON, ERTEL, LALL, KUZEL AND MILLER VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

9. 2018 COLLISION REPORT

Sam Taylor, Traffic Engineering Analyst, stated that the report includes information on three main areas, including, traffic volume, collision frequency and collision rate. It includes a variety of different rankings for 202 major intersections and 323 major segments. It excludes many minor and local intersections and segments. Collision reports are received from the police departments and processed for information useful for the Department's analysis. The reports are submitted to ADOT. From the master database, staff examined all collisions in 2017 and 2018. These are categorized between intersection and segment-related collisions. The data is then further analyzed. Every two years, traffic engineering technicians collect traffic volumes at the 202 major intersections. Analysis provides data in categories such as trends over time, bicycle and pedestrian statistics. Only 2.4 percent of crashes involve pedestrians or bicycles, however 18.6 of fatal collisions involve pedestrians or bicyclists. For vehicle crashes, rear-ends are the most common type.

The collision rate is determined by collision experience related to traffic exposure. Large intersections and segments are expected to have higher crash rates. Particular areas of concern are moderate volume areas with higher than average crash rates. For segments, major

arterials have the highest collision rates. This is due to the fact that major arterials have many access points and interactions between commercial driveways and turning vehicles. Commissioner asked for a definition of collision frequency. Mr. Taylor stated that intersection crashes are defined as any crash occurring at or within an intersection. Segment crashes occur on a segment away from an intersection. The report graphs segments by collision rate and frequency.

In response to a Commissioner question, Mr. Taylor confirmed that collision types are examined on a whole City basis, and not location-specific. Intersections are also rated by functional classification. In general, major arterials connecting to other major arterials had higher collision rates, while smaller intersections with minor collectors had much lower collision rates. Hayden and Thomas had the highest rates of collision and was number two in terms of frequency.

Application of the report can be used to do the following:

- Track collision rate, frequency and traffic volume changes over time at key locations
- Compare individual locations to Citywide trends
- Assist with capital improvement project selection
- Help to identify segments and intersections with the highest collision rates and frequencies
- Document changes at specific locations over time
- Identify locations for road safety assessments
- Recommend safety improvements at identified locations

Road safety assessments in process or completed include:

Segments:

- Camelback, from Scottsdale to Miller
- Goldwater, from Scottsdale to Indian School
- Chaparral from Miller to 78th
- Scottsdale Road from Indian School to Camelback
- Scottsdale Road from Thomas to Osborn

Intersections:

- Scottsdale and Camelback
- 92nd Street and Shea
- Scottsdale and Thomas
- Hayden and Camelback
- 64th Street and Thomas

Each year, MAG produces a list of the top 100 intersections throughout the region. Scottsdale had one intersection on the list, with Hayden and Thomas ranking 79th. The City recently completed a capital improvement project in the location, which should provide safety improvements.

Commissioner asked about the potential explanation for the 16 collisions at the location of Camelback, Hayden to Granite Reef. Mr. Taylor stated that the majority of the crashes occurred at the intersection of 82nd Street and Camelback. This includes a large number of DUI-related crashes. It is conjectured that people leaving the entertainment district believe they can access the 101 from Camelback and get into collisions in the process. There is a plan to enhance traffic

calming with a median island at the intersection at the eastbound approach. Commissioner asked whether this has been referred for a road safety assessment. Mr. Taylor stated that this segment is not currently on the list but may be added.

Commissioner commented that the bicycle collision report has not been updated since 2008 and noted the importance of up-to-date data. Mr. Taylor stated that the Department can look into this in the future. Commissioner inquired as to the status of the update on bicycle collisions and fatalities, particularly whether anyone is working on it at this time. Mr. Taylor acknowledged that to his knowledge, it is not currently in the works and not currently planned. Mr. Worth stated that he has noted the concern for further review.

Commissioner inquired as to whether future reports will include data on collision severity. Mr. Taylor stated that this has been a frequent topic of discussion within the group. Historically the report has always been categorized by collision rate and frequency compared with volume. To get a clear picture, they would likely have to examine trends over a five-year period, rather than two years.

Kiran Guntupalli, Principal Traffic Engineer, stated that MAG makes its categorizations geared towards crash severity. Having only one street on MAG's severity list, Scottsdale is relatively safe from a crash severity perspective, however, frequency is higher, due to volumes.

Commissioner cited to Indian School between Miller Hayden and Camelback between Scottsdale and Miller, noting that volumes on Indian school are 42,000 and 21,000 on Camelback. The segment length is almost exactly the same, yet the collision rate on Indian School is 2.47 and on Camelback is 9.05. Commissioner surmised that it relates to the proximity of bars.

Commissioner referenced Chaparral between Miller and 78th and Camelback between Goldwater and Scottsdale, noting that while the volumes are similar, the collision rates are 9.04 versus 6.38. Mr. Taylor noted that the segment of Chaparral narrows down to one lane in each direction and has a high volume for its capacity.

Vice Chair stated that with the exception of Scottsdale Road, these are all east/west streets and inquired as to any correlation. Mr. Taylor said he was unaware of a direct correlation. Scottsdale Road shows up quite frequently on the list. Chair surmised that the north/south major arterials have such a high rate volume, that the rate is naturally lower.

Commissioner commented on the high collision rate in the Safety Zone. Mr. Taylor noted that any area of high density activity typically has more crashes.

10. OTHER TRANSPORTATION PROJECTS AND PROGRAM STATUS

Mr. Worth stated that there were no updates at this time.

Commissioner inquired as to the status of search for a new director. Mr. Worth said he has been working with HR to analyze the position, noting that the Transportation Department and Street Operations Department are now combined, which means a greater scope of responsibilities for the director. He received notice from the HR analyst today that she has completed her study and her recommendation is that the position be upgraded to the requested level. It must still be approved by the HR Director and City Manager.

8. PUBLIC COMMENT

There were no public comments.

9. COMMISSION IDENTIFICATION OF FUTURE AGENDA ITEMS

Commissioner referred to the opening public comments. While it cost the City money to regulate scooter use, it costs businesses of Scottsdale to cope with construction. It would be helpful to have a future discussion on construction mitigation. Chair noted that this topic is slotted as a future agenda item.

10. ANNOUNCEMENTS

Commissioner stated that the Women’s Transportation Seminar is having its international conference at the Arizona Biltmore in May. Registration opened last week.

11. ADJOURNMENT

With no further business to discuss, being duly moved by Commissioner Ertel and seconded by Commissioner Lall, the meeting adjourned at 7:38 p.m.

AYES: Chair Graham, Vice Chair Iacovo, Commissioners Anderson, Iacovo and Miller.

NAYS: None

SUBMITTED BY:

eScribers, LLC

***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>**