



PUBLIC MEETING AGENDA

Transportation Commission

MEETING DATE

Tuesday, March 11, 2014
7:30 a.m.

MEETING LOCATION

Tempe Transportation Center
200 East 5th Street, Don Cassano Community Room
Tempe, Arizona

MEETING AGENDA

AGENDA ITEM	PRESENTER	ACTION or INFORMATION
1. Public Appearances The Transportation Commission welcomes public comment for items listed on this agenda. There is a <i>three-minute time limit</i> per citizen.	Pam Goronkin, Commission Chair	Information
2. Approval of Meeting Minutes: The commission will be asked to review and approve meeting minutes from the February 11, 2014 meeting.	Pam Goronkin, Commission Chair	ACTION
3. Bike Theft Prosecution Staff from the City Attorney's Office will provide information on bike theft prosecution.	Robert Hubbard, City Attorney's Office	Information
4. Youth Transit Pass Policies and Update Staff from Public Works and the City Attorney's Office will provide an update on the Youth Transit Pass Program and Policies.	Sue Taaffe, Public Works and Teresa Voss, City Attorney's Office	Information
5. Bike Rack and Locker Discussion Staff and the Commission will have a discussion on the process to fund and place additional bike racks and lockers in the downtown area.	Eric Iwersen, Public Works	Information
6. Department and Regional Transportation Updates Staff will provide updates from city Departments and current issues being discussed at the Maricopa Association of Governments and regional transit agencies.	Public Works Staff	Information
7. Future Agenda Items Commission may request future agenda items.	Pam Goronkin, Commission Chair	Information

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Minutes City of Tempe Transportation Commission February 11, 2014

Minutes of the Tempe Transportation Commission held on Tuesday, February 11, 2014, 7:30 a.m., at the Tempe Transportation Center, Don Cassano Community Room, 200 E 5th Street, Tempe, Arizona.

(MEMBERS) Present:

Pam Goronkin (Chair)
Don Cassano
Aaron Golub
Ben Goren
Nikki Gusz
Charles Huellmantel
Sue Lofgren

Kevin Olson
German Piedrahita
Charles Redman
Gary Roberts
Peter Schelstraete
Cyndi Streid

(MEMBERS) Absent:

Philip Luna

City Staff Present:

Shelly Seyler, Deputy Public Works Director Transportation
Eric Iwersen, Principal Planner
Sue Taaffe, Public Works Supervisor
Mike Nevarez, Transit Manager
Joe Clements, Transportation Financial Analyst
Noah Johnson, Commander

Travis Mullen, Administrative Assistant
Bonnie Richardson, Principal Planner
Julian Dresang, Traffic Engineer
Tanya Chavez, Neighborhood Services Specialist
Robert Yabes, Principal Planner

Guests Present:

None

Commission Chair Pam Goronkin called the meeting to order at 7:32 a.m.

Agenda Item 1 – Public Appearances

None

Agenda Item 2 – Meeting Minutes

Commission Chair Goronkin introduced the minutes of the January 14, 2014 meeting and asked for a motion.

Motion: Commissioner Peter Schelstraete

Second: Commissioner Sue Lofgren

Abstained: Commissioner German Piedrahita

Decision: Approved

Agenda Item 3 – Streetscape and Transportation Enhancement Program (STEP) Funding

Shelly Seyler, Deputy Public Works Director Transportation introduced the item and provided background information regarding the Streetscape and Transportation Enhancement Program (STEP) .

Shelly indicated the STEP program was expanded in 2008 to include tools beyond speed humps. The goal of the program is to work with residents to help address livability issues, which can result in an increase in alternative modes of travel. Shelly mentioned that since 2010, the program has gone unfunded due to the downturn in the economy. She provided an example of how the Daley Park Neighborhood under the new program made it as far as the petition process before it was halted due to the economic downturn. She explained that the STEP program had been previously submitted for inclusion with Transportation and ROW Capital Improvement Program projects (currently supported by general obligation bonds); however, when competing against other projects that addressed Public Health and Safety and Asset Preservation, the request did not receive priority and was not funded.

The City is seeking alternative options to help fund the program and is requesting the Transportation Commission review and take action regarding the request to place the STEP program into the Transit Capital Improvement Program funding request. Shelly referred the Commission to additional information included in the packet, which discussed the goals of the program and those outlined in the Comprehensive Transportation Plan.

Commissioner Chair Goronkin asked the cost of one speed hump. Shelly responded the price used to be around \$2,500, but the cost has increased to approximately \$4,000 to \$5,000 each due to the need to include traffic control for construction. Shelly mentioned on average, a street typically has between two and three speed humps installed but it can depend on length. The speed humps are placed every 300 to 500 feet for best results.

Commissioner Chair Goronkin asked how healthy the Transit Fund was and how the fund has maintained this level over time. Shelly responded that going into next year the fund might see a deficit, however, in the next two to three years the fund is expected to have a surplus.

Commissioner Kevin Olson said he was unclear how this project was a transit function. Shelly responded that the program includes tools to address and install streetscape elements along the entire street. Speed humps are one tool that can be used as part of the program that will result in slowing traffic down and increasing quality of life. Similar results can be seen in streetscape projects currently funded by the Transit Fund.

Commissioner Olson acknowledged that he understood the rationale but explained he still failed to see the connection regarding speed humps. Commissioner Olson added that this program seemed to be a low priority as compared to other projects.

Commissioner Chair Goronkin asked if the neighborhoods have asked about funding speed humps through the Neighborhood Grant Program. Shelly responded that a few neighborhoods had and explained they are still required to go through the same process. Daley Park was successful in getting a neighborhood grant in their effort to address traffic concerns within the neighborhood.

Commissioner Chair Goronkin asked what the budget was for the Neighborhood Grant Program. Tanya Chavez responded \$150,000 annually. Eric Iwersen added that with the Neighborhood Grant Program there were a few neighborhoods that requested traffic circles, such as in the neighborhood around Hudson Park. Commissioner Olson stated traffic circles are different from speed humps.

Eric noted that the STEP program originally started out as a speed hump program. As neighborhoods started to realize the benefits of other traffic calming measures, traffic circles and medians were requested based on the ability to add landscaping and public art.

Commissioner Olson asked about the proportion of funding for speed humps compared to other traffic calming measures. Shelly responded that there has been nothing funded out of the program since the changes were made in 2008 because it has gone unfunded.

Commissioner Huellmantel asked if there were other projects that could use the funding. Shelly responded the money could go to anything that is supported through the Transit Tax. Commissioner Chair Goronkin asked if the HURF (Highway User Revenue Funds) dollars could be used for any of the projects mentioned. Shelly explained that it was unlikely that the program would compete well for HURF (General Obligation Bonds) funding given prior years request. Shelly explained that the HURF fund has been collecting just enough to support personnel and operating costs including street maintenance.

Commissioner Chair Goronkin asked if the STEP funding proposal was on the calendar for Council. Shelly stated that the Capital Improvement Program will be presented to the Council for the first time on Thursday, February 13, 2014.

Commissioner Don Cassano shared a concern when the Transit Tax was first passed so that the funding could be used for anything related to transit. The money is slowly shifting off course to areas that other parts of the City should be handling. Shelly responded that maintenance type items would not qualify for funding under the Transit Fund.

Commissioner Huellmantel asked if the STEP program request was an annual or one-time transfer of funds. Shelly responded that the proposal request was for ongoing funding for five years; however, the Commission could request a change to support a one-time request.

Commissioner Cyndi Streid commented that the STEP program would promote economic development and mobility for all persons by making it safe for kids to ride their bikes in the neighborhoods instead of being restricted to the parks. Commissioner Ben Goren suggested a review of the complete system using the whole street rather than just one speed hump.

Commission Chair Goronkin asked for a motion to approve funding the STEP program proposal presented for one year.

Motion: Commissioner Huellmantel

Second: Commissioner Goren

Opposed: Commissioner Peter Schelstraete, Commissioner Don Cassano, and Commissioner Kevin Olson

Decision: Approved

Agenda Item 4 – Bike Registration and Bike Theft Program Update

Police Department Commander Noah Johnson provided an update on the bike registration program as well as efforts to reduce bike thefts.

Noah shared that he currently supervises the Northside Patrol Division serving north of Broadway Road and has served within the Crime Prevention Unit; Gang Unit; Tactical Response Unit; K-9 Unit; Downtown Bike Squad; among other units. The knowledge and experience he has gained will help him to reach out to the public to increase bike registration, which in turn will reduce bike theft.

Noah said the current goal of the bike registration program is for bike stores to pass out the registration information to the owner at the point-of-sale. An obstacle to overcome relates to the Arizona State University students who opt-out of the registration because ASU offers its own form of bike registration.

The Arizona Crime Prevention Association is looking to expand their efforts in order to tie City bike registration programs together, which will assist in reducing theft across Arizona.

Commissioner Olson asked if a national bike program has been contacted and if Tempe was already part of that program. Noah responded that there are concerns relating to PD theft inquiries late at night and early in the morning when attempting to communicate between the program operators and bike owners. Noah indicated that this is one operational problem that all groups are attempting to explore options, such as sharing databases.

Commissioner Huellmantel asked what the difference was between the ASU system and the Tempe Police Department bike registration system. Noah responded that they are simply two different systems. Commissioner Huellmantel asked if they could share information directly. Noah responded ASU couldn't give that information immediately.

Commissioner Goren asked if there are technical issues that prevent the two systems from interacting effectively. Noah shared ASU is hesitant to combine the systems due to registration system differences; however, Tempe PD can call ASU PD to get the information when needed. Noah added that this is a new system where volunteers are required to sign up and where old databases that were collected in the past are not being used.

Commissioner Lofgren indicated the presentation with ASU regarding bike registrations seemed to indicate an interest in merging. Noah said both entities are working through the process.

Noah presented information from 2012 and 2013 pointing out there has been an increase of bike thefts in Tempe. In 2012, the Downtown Bike Squad arrested quite a few people for bike thefts, but the efforts had no real impact on the bike theft rate. The Operation Bike Peddler was put into action with the goal of arresting bike thieves selling drugs. The crime of stealing a bike is a misdemeanor while bike thieves who traffic drugs is a felony.

Commission Chair Goronkin asked if the misdemeanors and felonies are local ordinances. Noah responded that it's State law. Commissioner Olson asked why the maximum for the misdemeanor of jail time was not pursued for bike theft. Noah stated the topic is being discussed with the City's prosecutors. However, as it is now, it is not likely bike thieves will get the maximum jail time of six months.

Commission Chair Goronkin asked if the item is on the City Council agenda. Commissioner Huellmantel commented that it is on the agenda and that jail time should be added when prosecuting bike thieves.

Commissioner Goren said bike events are a great way to get bikes registered. Noah stated he believed that would be the easiest way to get large numbers of bikes registered.

Commissioner Lofgren asked the percent of people reporting bikes stolen. Noah indicated it was low and added that other than high dollar bikes; the majority of the bike thefts go unreported.

Commissioner Olson asked if there was a bike bait program and if the program was being posted. Noah responded there was and explained the information is not posted.

Agenda Item 5 – Traffic Safety Update

Julian Dresang, Traffic Engineer presented information on the City safety projects.

Julian informed the Commission that the Federal Government funds safety projects through the Highway Safety Improvement Program (HSIP). The Arizona Department of Transportation (ADOT) administers the HSIP program, with a portion of the funding (70%) allocated to statewide projects and the remaining funding (30%) allocated to Metropolitan Planning Organizations (MPOs), like the Maricopa Association of Governments (MAG). The MPOs then distribute the funding to the local governments through a competitive selection process. Shelly added that grants and federal funds have made many of the City safety projects 100% reimbursable.

The three types of safety projects that the City is undertaking are procurement projects, intersection improvements, and additional street lighting.

- Procurement projects include pedestrian countdown signals and audible push buttons, conversion of 8 inch to 12 inch signal heads for visibility, and EMS cards—all of which are 100% reimbursable.
- Intersection improvement projects include Broadway Road & Priest Drive which will be 94.3% reimbursed. This project includes a bus pullout, relocation of artist designed bus shelters, a widened eastbound right turn lane and ADA improvements. There are also projects with the Union Pacific Railroad at 5th Street, University Drive, and Broadway Road – all of which are 100% reimbursable. These projects include median islands, sidewalk improvements, and new gates.
- Street light additions along Broadway Road between Mill Avenue and Rural Road will include 38 new street light poles and 5,800 feet of new conduit, all 100% reimbursable.

Commissioner Olson asked if the standard is LED for new light fixtures. Shelly responded by stating that five years ago the City was not quite ready to install LED light fixtures due to the efficiency and cost ratio, but now LED lighting is being reviewed as an option.

Commissioner Olson inquired as to what percent of the streetlights are currently LED. Shelly explained she did not have the exact ratio, but shared there are around 12,000 street lights.

Commissioner Goren asked if the 5,800 feet of conduit could be used for more than electricity. Julian responded that it would be used for more than electricity, such as fiber optics.

Agenda Item 7 – Department and Regional Transportation Updates

Eric shared that the City Council approved a parking study in downtown Tempe that includes bike parking and street configurations. The design team will be conducting charrettes in March at the Downtown Tempe Community offices allowing people to talk about parking concerns relating to bike and vehicle parking.

Commission Chair Goronkin asked if it included the development at University Drive and Mill Avenue. Eric responded that the development agreement and details have been identified for the number of parking spaces provided and surface lots taken away.

Commission Chair Goronkin asked what the percentages of spaces provided is for public parking. Eric explained he was not sure and stated that part of the reason for the parking study is related to the shrinking and limited parking availability. Eric added that the Transportation Commission is a stakeholder in the charrettes and that the design team headed by Kimberly Horn will provide a presentation to the Commission in April.

Sue Taaffe updated the Commission on the Mary O' Connor memorial bus shelter. Sue said that the money was raised to construct the shelter and on March 20, the design is going to Council for feedback. On April 10, staff will go to Council again with the resolution to rename the bus shelter. Construction will begin this spring and a celebration for the opening will be in early November.

Commissioner Lofgren asked if the design had changed. Sue responded that it has been modified based on funding, the planters were removed and the existing bike racks will be painted rather than replaced. Commission Chair Goronkin commended the dedicated community members who helped raise the money to make the memorial possible.

Agenda Item 8 – Future Agenda Items

Commissioner Huellmantel asked to see more information regarding a bike rack program.

The Commission's next meeting is scheduled for March 11, 2014.

Meeting adjourned at 8:33 a.m.

Prepared by: Travis Mullen

Reviewed by: Yvette Mesquita

CITY OF TEMPE TRANSPORTATION COMMISSION



STAFF REPORT

AGENDA ITEM 3

DATE

March 3, 2014

SUBJECT

Prosecution of bike theft cases

PURPOSE

Discuss feasibility of increased sentences for bike theft cases

BACKGROUND

Bicycle thefts charged in the Tempe Municipal Court are class one misdemeanors punishable by a minimum sentence of a suspended sentence and a maximum sentence of six (6) months in jail, a two thousand five hundred dollar (\$2,500) fine and three (3) years of probation. The prosecutor's office currently has a policy regarding theft which is as follows:

- 1) First offense when the defendant has no prior criminal history – the defendant participates in the City of Tempe Adult Diversion Program or pays a fine of \$750.00
- 2) Second offense – the defendant is incarcerated for five (5) days
- 3) For each subsequent offense another ten (10) days in jail is added (for example, a third offense nets a defendant a thirty (30) day jail term)
- 4) If the defendant commits the theft(s) in an area such as the Mill Ave. district or at a light rail platform or transit center, the defendant may be placed on probation and will be "ordered out" of the area as a term of that probation from a period between one and three years

The office does not determine the sentence offered based upon the type of item taken. Thefts of cellphones are treated the same as shoplifts or a theft of a backpack or bicycle. However, if the item taken is of significant monetary value the case may be submitted to the Maricopa County Attorney for charging as a felony. As a policy, the Maricopa County Attorney will not file felony theft charges unless the value of the property taken is over two thousand five hundred dollars (\$2,500) or is a theft of a firearm.

The Transportation Commission is concerned about bicycle thefts in Tempe and has expressed a desire to impose the maximum jail term allowed upon defendants convicted of bicycle theft. The prosecutor's office can as a policy focus attention to a particular problem. That policy can include enhanced sentences for offenders. However, any such policy must include all similar violations. Accordingly, the policy would have to include all thefts. Disparate sentencing is not allowed based upon the nature of the item taken. Disparate sentencing can be based upon the value of the item taken or the criminal history of the defendant.

Some additional considerations that would mitigate against imposing maximum jail for theft cases are:

- 1) When the State asks for jail time, the defendant is appointed an attorney at significant cost to the City.
- 2) No attorney would suggest to a defendant that he/she accept a plea which required the maximum sentence. Accordingly, all such cases would be set for trial.
- 3) Trials on theft cases are tried to a jury. Jury trials are costly in terms of money, time and staff. Currently, almost all of the court's jury trials are DUI. Increasing the number of jury trials would backlog the jury dockets significantly requiring the use of pro-tem judges at great cost to the city.
- 4) Jail costs are very high. If a defendant is given the maximum jail term allowed it costs the city fourteen thousand, three hundred and ninety three dollars (\$14,393.00). Even a ten day jail term costs the city nine hundred and sixty three dollars (\$963.00).

SUMMATION

Case law does not allow disparate sentences for similar offenses based solely upon the nature of the item taken. There must be another basis for imposing disparate sentences such as prior criminal history. Accordingly, the maximum sentence allowed by law could not be imposed in bicycle theft cases unless other theft cases were treated similarly. Imposing the maximum sentence is very costly in terms of money, time and staff.

FISCAL IMPACT

None

RECOMMENDATION

This item is for information only.

CONTACT

Robert Hubbard

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ATTACHMENTS

None

CITY OF TEMPE TRANSPORTATION COMMISSION



STAFF REPORT

AGENDA ITEM 4

DATE

March 11, 2014

SUBJECT

Youth Transit Pass Program Update

PURPOSE

The purpose of this item is to:

- 1) update the Commission on the status of getting McClintock and Marcos de Niza high schools to actively participate in the Intergovernmental Agreement (IGA) with the Tempe Union High School District to administer the youth transit pass program.
- 2) receive an update from the City Attorney's Office regarding the requirements of the youth transit pass program including requiring that a birth certificate be provided for the youth.

BACKGROUND

Since 2010, Tempe High School has been the only school in the Tempe Union High School District (TUHSD) to participate in the IGA between the city of Tempe and TUHSD. McClintock High School has agreed to begin issuing passes starting May 12, 2014. Marcos de Niza High School has opted not to administer the program.

Currently, one of the requirements of the youth transit pass program is that the youth's birth certificate must be made available to Tempe staff each year when registering for the program. The City Attorney's Office will provide its opinion regarding the program requirements.

FISCAL IMPACT

None

RECOMMENDATION

This item is for information only.

CONTACT

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ATTACHMENTS

None

CITY OF TEMPE TRANSPORTATION COMMISSION



STAFF REPORT

AGENDA ITEM 5

DATE

March 11, 2014

SUBJECT

Bike Rack and Locker Discussion

PURPOSE

The purpose of this item is to:

- 1) Have a discussion about downtown Tempe bike parking (racks and lockers) and other bike amenities
- 2) Provide information to the Commission regarding the downtown Tempe parking study and upcoming design workshops open to the public
- 3) Explore how bike parking and other bike amenities could be incorporated into the Transportation Master Plan update

BACKGROUND

At the February 2014 Commission meeting, there was a request to discuss current conditions of bicycle parking and bicycle amenities in downtown Tempe. By ordinance, Tempe currently requires bike parking as part of any major private development building modification or new construction. There is not currently any dedicated transit tax funding for bike parking.

FISCAL IMPACT

None, unless a formal request for funding is advanced to the City Council.

RECOMMENDATION

This item is for information and discussion only.

CONTACT

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ATTACHMENTS

Parking Plan Charette Invite

You're invited!



Kimley-Horn and Associates, Inc.

The City of Tempe and Downtown Tempe Community (DTC) are in the process of developing the Downtown Tempe Strategic Parking Plan to improve parking availability, accessibility, and the overall parking experience in Downtown. Come join the City and DTC for a mini-charette to learn more about the plan and to share your input with the project team!

When:

Mar. **24** **or** Mar. **28**
MONDAY **FRIDAY**

3:00pm - 7:00pm



Where:

200 E. 5th St.

DON CASSANO COMMUNITY ROOM
at the Tempe Transportation Center

Why: Your participation will inform the development of strategies to improve parking in Downtown

To learn more, please contact
☎ alex_smith@tempe.gov



City of Tempe

Downtown Parking Strategic Plan

CITY OF TEMPE TRANSPORTATION COMMISSION



STAFF REPORT

AGENDA ITEM 7

DATE

March 6, 2014

SUBJECT

Future Agenda Items

PURPOSE

The Chair will request future agenda items from the commission members.

BACKGROUND

The following future agenda items have been previously identified by the Commission or staff:

- Bike Racks and Lockers (March)
- Prosecution for bike theft – City Prosecutors Office (March)
- Youth Transit Pass Policies (March)
- Passenger Rail Study (April)
- Transportation Master Plan (April)
- El Paso Gas Line Multi-Use Path Public Art (April)
- Tempe Bike It – Way finding Public Art (April)
- University Drive Streetscape Public Art (April)
- MAG Pedestrian Design Assistance Grant Funded Projects (May)
 - North – South Rail Spur Path
 - Highline Canal Path
- Downtown Parking Study (May)
- Bike Rack & Locker Discussion (May)
- Broadway Road Streetscape Public Art (June)
- Presentation by Arizona Transit Association on statewide funding
- Scottsdale/Rural Road BRT Link Service Study Update

FISCAL IMPACT

None

RECOMMENDATION

This item is for information only.

CONTACT

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ATTACHMENTS

None