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Phoenix City Council
Transportation, Infrastructure and Planning Subcommittee
Summary Minutes
Wednesday, April 20, 2022

City Council Chambers
200 W. Jefferson St.
Phoenix, Ariz.

Subcommittee Members Present	Subcommittee Members Absent
Councilwoman Debra Stark, Chair	
Vice Mayor Laura Pastor	
Councilwoman Betty Guardado	
Councilwoman Ann O'Brien*	

*Councilwoman O'Brien joined the meeting during Item 7.

CALL TO ORDER

Chairwoman Stark called the Transportation, Infrastructure and Planning Subcommittee to order at 10:11 a.m. with Vice Mayor Pastor and Councilwoman Guardado present.

CALL TO THE PUBLIC

No members of the public requested to speak for this item.

MINUTES OF MEETINGS

1. Minutes of the Transportation, Infrastructure, and Planning Subcommittee Meeting

Vice Mayor Pastor made a motion to approve the minutes of the Feb. 16, 2022, Transportation, Infrastructure and Planning Subcommittee meeting.
Councilwoman Guardado seconded the motion which passed unanimously, 3-0.

CONSENT ACTION (ITEMS 2-3)

2. Amend City Code – Section 36-158, Schedule I, Local Speed Limits at 39 Locations

3. Fiscal Year 2022-23 Assessment for Water Industry Research and Partnerships

Vice Mayor Pastor made a motion to approve Consent Action Items 2-3.
Councilwoman Guardado seconded the motion, which passed unanimously 3-0.

INFORMATION ONLY (ITEMS 4-6)

4. Metro, Regional Public Transportation Authority and Maricopa Association of Governments Meetings

Information only. No Councilmember requested additional information.

5. Citizens Transportation Commission Meetings
Information only. No Councilmember requested additional information.

6. Freeway Program Update
Information only. No Councilmember requested additional information.

INFORMATION AND DISCUSSION (ITEM 7)

7. Maricopa County Regional Flood Control Update

Public Works Director Joe Giudice and Maricopa County Flood Control District (FCD) Director Michael Fulton presented about the partnership between Phoenix and FCD, as well as FCD's role in flood control infrastructure.

Mr. Fulton provided a brief overview of FCD, and its mission of reducing risk and damage from flooding, which included building and identifying flood structures, identifying and delineating floodplains, issuing permits for activities in floodplains, and providing alerts and outreach throughout Maricopa County. Mr. Fulton explained FCD's revenue structure, which relied on secondary property tax revenues, including contributions from the City. Mr. Fulton then discussed hazard mitigation studies conducted by FCD, coordination and funding with partnering agencies, as well as Small Project Assistance Program (SPAP), which identified smaller projects where regional structural solutions were impractical. He noted 34 SPAP projects which impacted the City had been completed since 2011. Mr. Fulton concluded his presentation by discussing challenges and opportunities for FCD in the coming years.

Councilwoman O'Brien joined the meeting at 10:17 a.m.

Mr. Giudice stated that the intent of the presentation was to provide basic information to the Subcommittee and that staff would return to provide further detail regarding SPAP.

Chairwoman Stark stated she would like to have a discussion with staff regarding roadway flooding and the evaluation criteria for SPAP. In addition, she noted the City's high contribution rate and wanted to make sure Phoenix was getting its fair share of FCD assistance funds.

Vice Mayor Pastor echoed the comments of Chairwoman Stark regarding evaluation criteria. She also discussed areas within the City she had noticed flooding during storms and encouraged staff to continue addressing these issues.

Councilwoman O'Brien requested additional information on street flooding.

Chairwoman Stark commented on the excellent work of FCD and reiterated her desire to discuss reevaluating project criteria.

DISCUSSION AND POSSIBLE ACTION (ITEM 8-12)

8. Comprehensive Micromobility Plan Update

Chairwoman Stark asked Assistant City Attorney David Benton to read a statement regarding public comment.

Mr. Benton stated the rules regarding public comment

Street Transportation Director Kini Knudson provided an overview of the Comprehensive Micromobility Program and its history.

Assistant Street Transportation Director Briiana Velez presented statistics on Phase III of the E-Scooter Pilot Program. Ms. Velez noted an average of 185 scooters were deployed averaging a little over 1.3 miles per trip, with no collisions reported. She explained the methodology for community outreach events held in November, noting staff received over 800 dot poll interactions at in-person events and roughly 200 online surveys. She highlighted the key takeaways of larger boundary expansion, additional vehicle types, and more supportive bike infrastructure. Ms. Velez discussed the expanded boundaries phase of the proposed Micromobility Program, consisting of a maximum of 3,000 E-scooters, a minimum of 125 E-bikes, a minimum of 125 pedal bikes, and a minimum of 50 adaptive bikes. She also discussed the equity components and the request for proposal evaluation criteria.

Mr. Knudson stated the next steps were to secure vendors to operate the program and to increase public bike parking in the boundaries. Mr. Knudson requested the Subcommittee recommend City Council approval to move forward with the phased implementation of a Comprehensive Micromobility Program through the issuance of a request for proposal.

Chairwoman Stark opened the floor to public comment.

Phuong Bui thanked staff and expressed her support for the proposed Comprehensive Micromobility Program.

Cyndy Gaughan expressed gratitude to staff for amending the ordinance to include E-bikes and adaptive vehicles.

Councilwoman Guardado expressed her support for the proposed Comprehensive Micromobility Program and stated belief that residents in the Maryvale canal area would benefit from having E-scooters or bikes in their area. She asked staff to look into and include equipment recovery from the canal and mentioned having community outreach sessions.

Mr. Knudson stated they could incorporate the Maryvale canal area as part of any phased expansion of this program.

Vice Mayor Pastor explained that the city would need to account for who pays for the debris or micromobility equipment that could potentially land in the canal and what the cost of clean-up would be. In addition, she asked for the Road Safety Action Plan strategies and improvements to reduce serious injury and a plan on how staff would maintain the lock-to requirement.

Chairwoman Stark mentioned the bike squad in Desert Horizon that assisted with safety and suggested having a bike squad for the Maryvale area.

Vice Mayor Pastor agreed with Chairwoman Stark and suggested having funding for a bike squad along the canal.

Councilwoman Guardado echoed the comments of Vice Mayor Pastor and Chairwoman Stark. In addition, she directed staff to look at neighboring cities' practices regarding micromobility along the canal.

Councilwoman Guardado motioned to approve staff recommendations for Item 8. Vice Mayor Pastor seconded the motion, which passed unanimously 4-0.

9. Downtown Interactive Kiosk Update

Street Transportation Director Kini Knudson discussed the previous Transportation, Infrastructure and Planning Subcommittee presentation on interactive digital kiosk from Sept. 15, 2021. Mr. Knudson noted feedback at the previous meeting and provided a historical overview of the downtown kiosk project. Mr. Knudson reviewed the request for proposal requirements and mentioned the goal of having 20 kiosks in operation by the 2023 Superbowl.

Deputy Street Transportation Director Chris Ewell discussed the kiosk vendor selection process and announced IKE Smart City (ISC) as the awardee. Mr. Ewell highlighted there were no upfront or ongoing costs to the City and mentioned how the kiosk would be installed in the public right-of-way. He also discussed the financial, and commercial benefits of the kiosks.

Mr. Knudson requested the Subcommittee recommend City Council approval to enter into agreement with IKE Smart City, LLC to provide digital kiosks in downtown Phoenix; to approve one additional staff position funded with kiosk revenues to manage and administer the agreement; and to grant an exception to PCC 3-8 to allow off-site advertising on the digital kiosk in public right-of-way.

Chairwoman Stark asked how much revenue advertising would generate for the City.

Mr. Knudson stated the advertising revenue would be either the minimum agreed upon dollar amount of $14,000 per-kiosk-per-year, or 32 percent of gross, whichever was greater.

Anna Baerman on behalf of IKE Smart City thanked the subcommittee and staff for the opportunity to bring IKE to Phoenix.

Councilwoman O'Brien asked how loitering would be handled by people who were not using the kiosk.

Mr. Knudson stated the City would be working in partnership with Downtown Phoenix Inc and with their ambassadors to work through any issues with the improper use or improper gathering around those kiosks.

Vice Mayor Pastor asked staff to investigate creating an app version of the kiosk.

Mr. Knudson stated IKE offers an app along with their kiosk.

Councilwoman O'Brien motioned to approve staff recommendations for Item 9.
Vice Mayor Pastor seconded the motion, which passed unanimously 4-0.

10. Phoenix Sky Harbor International Airport Comprehensive Asset Management Plan

Aviation Director Chad Makovsky provided an overview of the Comprehensive Asset Management Plan (CAMP). In addition, he discussed the importance of revalidating the CAMP assumptions and projects to ensure that near-term investments aligned with the highest priority needs for Phoenix Sky Harbor International Airport (PHX), as well as its customers and stakeholders.

Deputy Aviation Director Jordan Feld explained the three main areas of CAMP and provided an update of the meetings with stakeholders and the Phoenix Aviation Advisory Board. Mr. Feld discussed near-term priority projects at PHX, their estimated cost, and next steps for each project. Mr. Feld requested the Subcommittee recommend City Council to direct staff to submit an updated Airport Layout Plan to the Federal Aviation Administration (FAA) for the PHX Comprehensive Asset Management Plan, as needed, based on recent CAMP implementation.

Vice Mayor Pastor asked about the name of the outside the fence planning areas. She requested that staff come back to the Subcommittee to discuss the areas surrounding the airport.

Mr. Makovsky stated he could return to provide the subcommittee with a more expansive view of those parcels in Aviation's long-term plan. In addition, he noted the possible uses of these areas were influenced by the type of funding used to purchase them.

Councilwoman Guardado asked if staff were planning on conducting community outreach regarding use of the land.

Mr. Feld replied they would conduct public outreach pending further information from the FAA, and he discussed the type of outreach typically conducted.

Councilwoman Guardado motioned to approve staff recommendations for Item 10. Vice Mayor Pastor seconded the motion, which passed unanimously 4-0.

11. Consideration of Citizen Petition Related to the Process for Preparing Formal Council Meeting Agendas

City Clerk Denise Archibald gave a staff presentation in response to a citizen petition submitted by Jeremy Thacker on Feb. 16, 2022. She discussed the process, according to Arizona Revised Statutes, Arizona's Open Meeting Law (OML), Phoenix City Charter, Phoenix City Code (PCC) and Administrative Regulations, in which Formal City Council agenda items get added and noted only the City Manager, Mayor, or at least three Councilmembers could have items placed on the agenda. In addition, Mrs. Archibald detailed several alternative ways in which a resident could present items to the Council for discussion.

Vice Mayor Pastor asked how a resident could put something on the agenda. In addition, she asked if Councilmembers were not allowed to respond to citizens' comments due to OML and what the fine was if they did. Vice Mayor Pastor asked staff to explain why the proposed solution in the petition could not work.

Assistant City Attorney David Benton confirmed that there is a fine associated with violating OML.

Mrs. Archibald replied that citizens do have the opportunity to request the Mayor or Council members add items to a Council agenda during citizen comments at the Formal City Council meeting. In addition, she explained that residents could also communicate with their Council members, or City departments directly. She also included subcommittees as a way for a resident or citizen to provide comments to members to request an item be placed on an agenda. Mrs. Archibald also clarified that during citizen comment, Council could only respond to items on the agenda, but Council could request to address an issue on a future agenda. She stated Phoenix City Code only provided the authority to place things on the agenda currently to the City Manager, the Mayor, and three councilmembers.

Councilwoman O'Brien asked for clarity on the proposed solution. In addition, she asked if there would need to be more details and information so that the public would be properly notified about an item.

Mr. Benton stated there would have to be staff research and review into this proposed solution. In addition, Mr. Benton mentioned that members of the public would need sufficient information on a particular item to meet the requirements of OML.

Jeremy Thacker stated the current citizen petition process was cumbersome and did not guarantee a two-way conversation with the Council. Mr. Thacker noted that citizen comment in the past used take place at the beginning of a Formal meeting and was convenient for residents. He proposed any public comment request submitted 72 hours in advance and containing the proper amount of detail to meet OML requirements be placed on the agenda.

Chairwoman Stark asked Mr. Thacker to provide an example of his proposal and for staff to comment the proposal.

Mr. Thacker provided an example where if a resident wished to speak about shutting down municipal golf courses due to excessive watering, the City Manager and City Clerk would approve that item and add it to the agenda.

Mrs. Archibald explained that staff typically prepare agenda items one month in advance and throughout that period they were going through the necessary review process. She discussed challenges that might arise with this proposal, such as not giving staff enough time to prepare.

Vice Mayor Pastor stated there was not a platform for citizens to say they would like the Council to discuss specific subject matter.

Councilwoman O'Brien asked Mr. Thacker what steps he had taken to bring his golf course example to his councilmember, or other councilmembers, to have it placed on the agenda.

Mr. Thacker replied he had reached out to all councilmembers' offices, met with Councilwoman Stark, presented to Parks and Recreation Department staff, and had an item placed on the Parks and Recreation Board agenda before later having it removed.

Councilwoman O'Brien expressed her concern with the 72-hour time frame that was proposed in the citizen petition.

Councilwoman O'Brien motioned to continue this item to the June 15, 2022 Transportation, Infrastructure and Planning Subcommittee. Vice Mayor Pastor seconded the motion, which passed unanimously 4-0.

12. Consideration of Citizen Petition Related to Process for Handling Citizen Petitions

City Clerk Denise Archibald gave a staff presentation in response to a citizen petition submitted by Jeremy Thacker on March 2, 2022. She stated the petitioner requested that the Council provide clarification on the City's current process for handling citizen petitions. Mrs. Archibald provided Mr. Thacker with the procedures for citizen petition process on December 1, 2021, which outlines the process and qualifications for citizen petitions.

Jeremy Thacker read portions of the Phoenix City Charter regarding citizen petitions and expressed his interpretation on the meaning of Council action.

Vice Mayor Pastor asked staff to answer the questions that were brought up by Mr. Thacker.

Assistant City Attorney David Benton stated that it boiled down to his disagreement with legal analysis of how the citizen petition process was being deployed by Council currently. In addition, Mr. Benton mentioned Council had decided by way of approval of the City Code that the Mayor would be manage City subcommittees.

Vice Mayor Pastor asked Mr. Benton to answer the question pertaining to how citizen petitions were handled in the past.

Mr. Benton explained citizen petitions were addressed within 15 days of the City's regular business. He stated that the Council had decided and given the authority to the Mayor to manage subcommittees, and that the Mayor had decided to assign citizen petitions to the subcommittees.

Vice Mayor Pastor asked for a briefing on the citizen petition process and the relevant portions of the City Code and Phoenix City Charter.

Councilwoman O'Brien motioned to continue this item to the June 15, 2022 Transportation, Infrastructure and Planning Subcommittee. Vice Mayor Pastor seconded the motion, which passed unanimously 4-0.

CALL TO THE PUBLIC
No members of the public requested to speak for this item.

FUTURE AGENDA ITEMS
None.

ADJOURNMENT
Chairwoman Stark adjourned the meeting at 12:10 p.m.

Respectfully submitted,

Grant Harrison
Management Intern