

May 30, 2018

Dear Mayor & Council,

We are the Complete Streets Advisory Board (CSAB). At your behest, we have been working on behalf of all Phoenicians for three and a half years after you created our board in 2014. As our most important document, the Complete Streets Design Guidelines, laboriously winds its way through an unnecessarily byzantine approval process, we cannot help but be troubled by the way our work has been maligned by developer lobbyists, disrespected by City staff, and dismissed by ill-prepared political bodies.

It's time we told our own story.

### **Developing the Complete Streets Design Guidelines**

We convened in November 2014. Our body is made up of one appointee from each district and three from the mayor. Our districts are diverse, and so are we. After organizing ourselves and setting our direction, we immediately formed a subcommittee to draft design guidelines, which was our greatest charge from you. Our main body developed a supporting policy while this subcommittee deliberated design guidelines. The subcommittee completed the draft design guidelines in February 2015 and the full CSAB then debated the document for six months before voting to recommend them to the Council in August 2015. The ordinance that created our board instructed us to have these design guidelines in front of you for your adoption within one year (November 2015).

The design guidelines we recommended were deliberately chosen mostly off-the-shelf because other cities and well-respected professional organizations had already spent years and countless hours on this issue and there was no reason to waste time reinventing the wheel. We leaned heavily on the National Association of City Transportation Officials' (NACTO's) Urban Street Design Guide, and also a publication by the Institute of Transportation Engineers (ITE) and the excellent work of Tucson's Watershed Management Group.

Even so, we debated everything. We debated sidewalks, and bike lanes, and lighting. We debated ADA language, and golf carts, and shade. We debated commas, and images, and formatting. We debated the linguistic nuances of every line we wrote. And we did it all by committee, in public, at open monthly meetings that were noticed to the public and emailed to stakeholders. To our knowledge, no other body in the City of Phoenix has written and compiled a document of this scope entirely through public meetings. No other City of Phoenix document has been developed with this much transparency and opportunity for public comment.

### **The Year of Developer Engagement**

In October 2015, we began an approval process of the design guidelines (alongside the policy referenced above) through the Environmental Quality Commission (EQC) and the Development Advisory Board (DAB). They both supported us. The next month, however, the Planning Commission felt we needed more feedback from developers before they would consider our work, so we began to more deliberately bring developers into the conversation.

As a result, the approval process screeched to a halt before it could reach you. Our direct outreach to developer lobbyists began in December 2015 and continued throughout all of 2016. We even scoured line-by-line through their suggested edits to the shorter policy document, which was the focus of most of our discussion with the developer lobbyists because, when asked for specific feedback on the design guidelines, they generally responded they hadn't taken the time to read them.

In October 2016, after almost a full year of direct engagement in publicly posted meetings with developer lobbyists, we sent a revised version of the policy to Legal for input. It was around this time that the Street Transportation Department took it upon themselves to entirely re-write our design guidelines in a way that severely reduced their impact.

### **Obstruction from Street Transportation Staff**

The beginning of 2017 was when Street Transportation staff clearly became hostile to our board.

On February 9<sup>th</sup>, we had a meeting to try and finalize the policy document for a recommendation to Council. During our revision session of the policy, and as they had in some previous meetings as well, Street Transportation staff repeatedly rebuffed our proposed revisions by claiming, "Legal said that isn't allowed." Yet Legal staff was conspicuously absent from our meetings and therefore unable to explain these positions to us. It was decided some members of our board would have a meeting with Legal to understand their concerns before continuing our revisions.

Three days later, on February 12<sup>th</sup>, Mark Melnychenko, the Acting Deputy Director of the Street Transportation Department, submitted a searing memo to his management proposing to eliminate the Complete Streets Advisory Board altogether. He never shared with us his intention to disband the CSAB nor did he address the board with his grievances. This memo was made public by the media a year later.

On February 21<sup>st</sup>, some CSAB members met with Legal staff to ask about their concerns. What we learned was that Street Transportation staff had not told us the truth, and that Legal staff would not take such black-and-white stances on something that is both a board's prerogative and simply guidelines. We asked them to attend our next meeting so we could finish the policy document with the proper input from their department.

On February 23<sup>rd</sup>, Legal attended our CSAB meeting and we were able to make final revisions and then vote to approve our final recommendation of the policy document to the Council. This final version of the policy had been watered down to say very little, mostly just repeating back what you had already adopted in ordinance S-41094. The policy therefore met with little resistance as it passed through the Planning Commission, T&I subcommittee, and your City Council in the summer of 2017.

But the design guidelines were still being obstructed by Street Transportation staff. In addition to the damaging rewrite staff had been trying to force onto us since fall 2016, they also refused to include the design guidelines (recommended back in August 2015) into the approval process the policy was going through. This was evident back in March 2017 when staff informed us the design guidelines would not go to Council, but instead be reviewed by staff to include Complete Streets design elements into their own design guidelines. This direction directly violated your 2014 ordinance that said we should create design guidelines for your adoption – so we pushed back, but staff would not relent.

In May 2017, we pushed again to have the design guidelines be sent to you, but again staff refused to comply with City ordinance, instead deciding they should be the ones to determine what the design guidelines should look like. This was an example of City staff neglecting both City ordinance and their duty to our board.

### **Creating the Second Version of Design Guidelines**

In June 2017, we realized it had been almost two years since our initial recommendation of design guidelines to the Council (which you never got to see). So we decided to revisit and re-recommend to ensure you got the best product we could deliver.

Initial attempts at revision were rocky. It wasn't always clear what the Street Transportation staff had changed or omitted from our own design guidelines. There was confusion and the process, never easy when a dozen people are in a public meeting writing a single document, wasn't working.

So in November 2017, after frustration with the process of having to work from staff's watered down version of the design guidelines and watching our timeline only slip further, we decided the best way to move forward was to again form a subcommittee that could deliver a revised draft back to the full CSAB. This subcommittee worked tirelessly during December 2017 to get a clean draft to the CSAB, which it did. It was also at this time that staff decided the soonest these design guidelines could reach Council would be June 2018, which was a timeline we rejected as too slow.

On January 2<sup>nd</sup>, 2018, the full board began debate of the subcommittee's draft. Despite every meeting having been publicly noticed and available to anyone who wishes to attend, and despite the developer lobbyists being copied on emails of our agendas and minutes, special efforts were still made to reach out to these developer lobbyists to obtain their feedback on the draft design guidelines. We received only one response, and it was a refusal to participate. Yet today, these same developer lobbyists are claiming we didn't include them in the process.

On January 23<sup>rd</sup>, the board continued revising and debating the design guidelines with feedback we had received from staff across multiple departments. Even during this meeting, Street Transportation staff continued to oppose our intention of sending the design guidelines to you as the ordinance required. Finally, we were forced to make a formal motion and vote to ensure staff could not ignore our instructions. In those instructions, it was added that staff's offered timetable of being at Council in June 2018 was still unacceptable and that they needed to expedite the approval process.

### **Approval Proves Out of Reach**

In March 2018, a few final revisions were made to the design guidelines. These revisions beyond early January were frustrating because they were to respond to comments from City departments that, per ordinance, should have been attending our meetings all along. This was another example of City staff neglecting both City ordinance and their duty to our board.

In April 2018, it had already been almost three years since our original recommendation of design guidelines to you, and traffic fatalities in Phoenix were skyrocketing. After seeing that staff was continuing to drag the approval timeline out to June, a couple of our members filed a petition in order to allow you to vote on these design guidelines as soon as possible. Then, on April 18<sup>th</sup>, you refused to adopt the

guidelines. Instead, you pulled in staff's timeline by one month for another Council vote in May.

Since then, the Development Advisory Board has refused to approve the design guidelines, instead preferring to have their technical subcommittee weigh in a month later. Thankfully, that subcommittee later recommended approval.

But then on April 26<sup>th</sup>, an unprepared Citizen Transportation Commission refused to approve or even discuss the design guidelines until August. (Here it should also be noted that we have requested multiple times of staff over the years for a joint meeting between ourselves and the Citizen Transportation Commission. Staff never saw it fit to have one.)

The next week, the Planning Commission approved the design guidelines, but only as long as they applied to an extremely limited area around existing light rail and only to publicly-funded projects. This would gut the program and do nothing for so many people who are today simply trying to navigate as best they can on streets designed to be hostile to them. We can do better. We must do better.

Unfortunately, the following week, the Council's Transportation & Infrastructure Subcommittee also refused to approve the design guidelines and declared they would not take up the issue again until August. Their unanimous decision was disappointingly gut-wrenching. It was clear the developer lobbyists were trusted more than the citizens who took time off of work to voice their support, more than the experts who informed our design guidelines, and more than even us, your appointed members of the Complete Streets Advisory Board. The design guidelines were then likewise removed from last week's Formal City Council Meeting agenda.

### **Our Story's End**

The design guidelines we have recommended are the result of three-and-a-half years of intense and public work. The bulk of the design guidelines were written by the leading transportation officials of this country and have been endorsed by the Federal Highway Administration. They represent the national standards and best practices Phoenicians deserve. Our board has spent a full year deliberating with developer lobbyists to incorporate their input where appropriate. Our board has weathered extraordinary interference from City staff that has included lying, obstruction, and even an attempt to disband us entirely. And all of this in order to deliver to you the most publicly deliberated document this City may have ever seen.

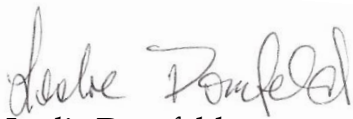
Your passage of the Complete Streets ordinance in 2014 and policy in 2017 gave the appearance of progress and made for good headlines. But, as acutely stated in a CSAB meeting (April 2016) by the Planning Department's liaison, "the policy cannot be

implemented without design guidelines.” So here we sit with an ordinance and a policy that do us no good without design guidelines, and those design guidelines are not seeing enough support from those we most need support from.

We are well aware developer lobbyists have been claiming they were not included in our process nor asked for their feedback, and claiming we never changed anything in response to their feedback. And claiming we never made the draft design guidelines available to them. But we have the meeting minutes, documents, and emails to prove those are lies.

Our board doesn't always agree, but over the years we have learned to work well together. But, at this point, seeing little support from those in City Hall we needed support from, it is clear we can serve no more purpose to this Council and so it is with heavy hearts that we must hereby tender our resignations.

Signed,



Leslie Dornfeld  
Chair & District 3 appointee



Karen Heck  
District 2 appointee



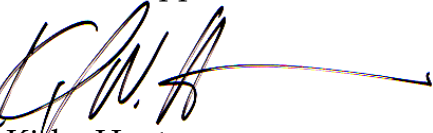
Ray Cabrera  
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Connor Descheemaker  
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Allison Disarufino  
District 6 appointee



Kirby Hoyt  
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Sean Sweat  
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