



City Council Weekly Information Packet

Thursday, December 31, 2020

Includes the following documents/information:

- 1) City Council Events Schedule
- 2) State and Federal Update & Grant Opportunities
- 3) Carver Ranch Estates - Pecan Trees, Water and Landscape Discussions



City Council Events Schedule

December 31, 2020 thru January 22, 2021

The Mayor and City Council have been invited to attend various community meetings and public and private events at which a quorum of the City Council may be present. The Council will not be conducting city business, nor will any legal action be taken. This is an event only and not a public meeting. A list of the community meetings and public and private events along with the schedules, dates, times, and locations is attached. Organizers may require a rsvp or fee.

DAY	DATE	TIME	EVENT
Fri	Jan 22	1:30-2:00 p.m.	<p>Ribbon Cutting for Hammersmith Support</p> <p>Join us in a virtual celebration as we welcome a new member to the Tempe Chamber! We invite our members and Ambassadors to attend this unique, online event! During this event, attendees will have the opportunity to hear from Hammersmith Support and introduce themselves during a 30-second commercial.</p> <p>Please register here: https://us02web.zoom.us/meeting/register</p>

12/31/2020 MH

MEMORANDUM



TO: Mayor and City Council
THROUGH: Andrew Ching, City Manager
FROM: Marge Zylla, Government Relations Officer
DATE: December 31, 2020
SUBJECT: State and Federal Update & Grant Opportunities

Below are summaries of recent actions and announcements at the state and federal level:

- Update on Eviction Moratorium
- Governor Executive Orders
- State Update of Federal COVID Response Programs
- State Expenditures of COVID Relief

Please let me know if there are follow-up questions for Tempe's federal lobbyist. Also, please let me know if Tempe staff members are pursuing federal grants so we can arrange for letters of support from our Congressional delegation.

Update on Eviction Moratorium

As noted in last week's memo, the federal eviction moratorium has been extended to January 31, 2021. The US Department of Housing and Urban Development sent additional information (immediately below) on 12/29/20:

On September 4, 2020, the Centers for Disease Control and Prevention (CDC) issued a Notice and an Order, under Section 361 of the Public Health Service Act (42 U.S.C. § 264) and 42 CFR § 70.2, banning evictions for certain renters through December 31, 2020. The Consolidated Appropriations Act, 2021, signed by the President on December 27, 2020, extended this Order **until January 31, 2021, which** will help families continue to prevent the spread of COVID-19. The original Order is available [here](#). PHAs can download additional materials on the CDC Notice and Order, including translated versions of the resident declaration form, from [HUD's website](#).

As a reminder, under the Order and extension, from September 4, 2020, to January 31, 2021, tenants cannot be evicted for nonpayment of rent, provided the tenant signs the Declaration that is attached to the CDC Order.

Residents who previously submitted a declaration should not be asked to resubmit and should have continued protections until January 31, 2021. The CDC Order does not relieve the tenants' obligation to pay rent and the tenants must continue to comply with terms under the lease. However, tenants qualifying as "Covered Persons" under the CDC Order cannot be evicted for nonpayment of rent if the CDC eviction protections are invoked. Nothing in the CDC Order precludes the landlords from charging or collecting fees, penalties, or interest as a result of the tenants' inability to pay rent on a timely basis. Evictions unrelated to nonpayment of rent can still take place. Any State, local, Tribal, or territorial area with a moratorium on residential evictions that provides the same or greater level of public-health protection can supersede the CDC Order.

Governor Executive Orders

The Governor has issued a number of Executive Orders this year. They can be found at [this link](#). Executive Orders issued this week:

- 2020-63 Second Renewal of EO 2020-07 The "Good Samaritan" Order, 12/31/2020
- 2020-62 Ensuring Efficient Administration of COVID-19 Vaccine, 12/30/2020
- 2020-61 Driver License Renewals for Vulnerable Arizonans During COVID-19, 12/30/2020

State Update of Federal COVID Response Programs

The Joint Legislative Budget Committee updated its Federal Coronavirus Response Programs summary document. It is available at [this link](#).

State Expenditures of COVID Relief

The Governor's Office announced additional distributions from the Coronavirus Relief Fund as part of the federal CARES Act: \$46 million for Arizona State University, \$46 million for the University of Arizona, \$23 million for Northern Arizona University. Press release at [this link](#).

MEMORANDUM



TO: Mayor and Council

FROM: Keith Burke, Community Services Director *KB*
Terry Piekarz, Municipal Utilities Director *TP*

THROUGH: Ken Jones, Deputy City Manager – Chief Financial Officer
Steven Methvin, Deputy City Manager – Chief Operating Officer

DATE: December 31, 2020

SUBJECT: Carver Ranch Estates – Pecan Trees, Water and Landscape Discussions

On December 7, 2020, staff from Tempe's Community Services and Municipal Utilities Departments, along with City Manager Ching, Councilmember Adams and Council Aide, Alex Chin, met with Carver Ranch Estates subdivision Home Owner's Association (HOA) representatives and residents to discuss their concerns related to distressed and dying Pecan trees in their neighborhood, water use and their water bills. The purpose of this memorandum is to provide a follow-up report and summary of this site visit, assist the Carver Ranch Estates residents with these issues and provide recommendations for the subdivision HOA and residents to consider.

The first section of this memorandum addresses topics raised related to the health and care of existing Pecan trees throughout the neighborhood, and was developed by Community Services' Parks and Recreation Division. For questions related to the information provided in this section of the document, please contact Richard Adkins, Urban Forester, at (480) 350-5227. The second section of this document addresses topics raised related to improving efficiency of landscape irrigation, and was developed by the Municipal Utilities' Water Utilities Division. For questions related to water conservation and efficiency programs, and opportunities provided in this document, please contact Tina Sleeper, Conservation Program Coordinator, at (480) 350-2668.

Pecan trees located throughout Carver Ranch Estates are part of an aging grove of trees. Construction of homes in the community started in the late 1970s and reached build-out in the early 1990s. During construction of the subdivision, existing flood irrigation to the area was discontinued, with landscape irrigation changing to municipal potable water. There was an attempt to keep the established pecan trees as the community developed, and the HOA's current covenants, conditions and restriction (CCRs) aim to retain the original pecan tree character and promote a more lush landscape feel for the neighborhood.

During their visit, staff observed many pecan trees in declining health, showing signs of stress, with some dead, standing trees. There are some pecan trees located in the common area along Carver Road, and at the subdivision entrance, but most of the trees are located on private property within Carver Ranch Estates. Each property owner is responsible for maintaining the trees on their respective lot. The neighborhood and HOA has obtained reports and advice from reputable arborists over the years and currently has one company scheduled to provide fertilization services during the coming year. In addition, multiple educational resources are available from local universities and their extension office, and pecan-centered organizations are well-known to community representatives.

There appear to be a number of factors relating to the health of the pecan trees. Soil compaction, root damage and limited rooting space during initial construction activities; past maintenance and pruning practices; soil nutrition and irrigation management all combine to affect overall tree health. In addition, the HOA's policy of replacing existing pecan trees with another pecan tree has led to the retention of declining and dead trees, due to some resident's concern for the cost of maintenance and removal of these large trees.

Community representatives also expressed concern over the cost of irrigation water for maintaining their landscape, specifically the pecan trees. Pecan trees do require more water than an average Tempe residential landscape to remain viable. The trees in the community are being watered by sprinkler irrigation, occasionally supplemented by hose watering. Pecan trees generally will require a deeper watering at times throughout the year. There does not seem to be any water harvesting techniques or methods in-place that could provide additional water for some of the trees.

Suggestions for helping sustain the pecan trees at Carver Ranch Estates:

- Follow the care recommendations and maintenance notes from previous arborist reports;
- Have one of their current service providers assess the trees in the community;
- While pruning and removal of large trees can be both dangerous and costly, the community should seek and only allow certified, licensed and insured arborist companies to perform tree work, and obtain multiple bids for each project;
- The community might consider changing their replacement policy and allow lower water use tree species to be planted;
- Managing irrigation throughout the year, and providing a simulated flood irrigation as needed, would benefit the pecan trees;
- Exploring water harvesting techniques, like gutters to direct rainfall to the trees, deserves consideration.

Between 2017 and the December of 2020, Water Conservation staff have made several visits to the Carver Ranch Estates neighborhood and provided recommendations related to changes in water use and landscape types that could result in efficient water usage and water savings. These efforts have been extended to neighborhood residents through individual water efficiency consultations, which consisted of outreach to at least eight of the 36 homes, and also included the HOA directly. Below is a list of the water efficiency and conservation practices previously recommended:

- Convert high-water use grass to desert-friendly plants;
- Utilize the Landscape Conversion (Turf Replacement) rebate;
- Increase landscape watering efficiency by adjusting watering frequency several times per year based on seasonal needs of landscape;
- Ensure all landscape is watered to the appropriate depths, based on mature plant type, by monitoring and verifying watering depth using a soil probe.

While water efficiency and conservation upgrades can reduce water use, it was communicated during the site visit that implementing strategies and tactics that typically have the most success in reducing water use (i.e., desert landscape conversions and selection of native plants and trees) is limited by current HOA CCR restrictions. The following water efficiency and conservation upgrades may be implemented by residents and the HOA to ensure all water use is as efficient and effective as possible to support the landscape needs of the neighborhood.

Individual resident water efficiency recommendations:

- WaterSmart Customer Portal: Tempe's customer portal provides residents the ability to track their hourly and daily water usage, view trends and be notified of spikes in water usage and receive potential leak alerts. Visit www.Tempe.Gov/WaterSmart for more information and to sign up;
- Schedule a Water Consultation: Tempe provides specific water conservation related recommendations through virtual consultations to evaluate the potential for increasing water efficiency. Visit www.tempe.watersmart.com/consultation to request a consultation;
- High Efficiency Irrigation Rebate: Available to Single-Family Residential Customers and worth up to \$500 for the purchase price of approved technology upgrades, such as smart controllers. Rebate may involve a no-contact inspection, followed by a virtual video call, to evaluate the existing system, and a virtual water consultation to discuss next steps for

increasing water use efficiency. Visit www.Tempe.Gov/Conservation and select “Rebates” to learn more;

- Inspect clogged or poor performing sprinkler heads and emitters (flagged during the consultation); fix or replace as necessary;
- Where applicable, consider updating the efficiency of sprinkler heads to ensure uniform and efficient distribution of water to grass. Evaluate the use of the High-Efficiency Irrigation Rebate to perform these upgrades. Visit www.Tempe.Gov/Conservation and select “Rebates” to learn more;
- Upgrade the drip emitters to pressure-regulating drip emitters to ensure that the appropriate rate of water is distributed to plants;
- Sign up for the Water Efficiency Certification (WEC) program. Visit www.Tempe.gov/WEC to learn more;
- Utilize “Cycle and Soak” watering technique to avoid runoff on grass or sloped areas of landscape;
- Enable the weather-based, automatic adjustment of existing smart irrigation controllers.

Water efficiency recommendations for the neighborhood HOA:

- Schedule a Water Consultation for the common areas of the HOA: Tempe provides specific water conservation-related recommendations through virtual consultations to evaluate the potential for increasing water efficiency. Visit www.tempe.watersmart.com/consultation to request a consultation;
- Neighborhood Grants: For sprinkler system upgrades or landscape conversions located in HOA common areas, consider Tempe’s Maryann Corder Neighborhood Grant program. This grant program assists communities in investing in projects, including irrigation efficiency upgrades or landscape conversions, that enhance quality of life in neighborhoods. Applications are solicited on an annual basis and are currently being accepted. For more information, click the link below to see recent virtual workshop regarding the HOA application process: <https://www.youtube.com/watch?v=VPRTjwcpDyw>
- HOA Water Budgeting Program: Tempe provides HOAs access to a water budget calculator that allows them to compare common area water usage to the estimated annual water needs of the landscape. Once the calculator creates a water budget for the HOA, conservation staff can provide a report summarizing the findings and suggest next steps for increasing efficiency. Visit www.Tempe.gov/conservation and select “HOA” for more information;
- WaterSmart Customer Portal: Tempe’s water usage customer portal provides the HOA with the ability to track hourly and daily water usage, view trends and be notified of spikes. The HOA would be able to combine several meters onto one dashboard and track overall water usage, as well as drill into the daily and hourly usage of a specific meter. The HOA can also provide direct access to multiple individuals who manage the common area water usage, such as a landscaper, property manager or Board Members. Visit www.Tempe.Gov/WaterSmart for more information.

Limited discussion occurred during the site visit regarding water rates as they relate to water usage of landscapes similar to those at the Carver Ranch Estates. City of Tempe water and wastewater rates are among the lowest in the Metropolitan Phoenix area. Additional information regarding the most recent Water and Wastewater Rate Study, and the newly-adopted rates, can be found at www.tempe.gov/utilityratestudy.

We appreciate the opportunity to work with both the Carver Ranch Estates Community HOA and homeowners to help them retain the historic character of their neighborhood landscape while maximizing the efficiency of water use.