



City Council Weekly Information Packet

Friday, October 1, 2021

Includes the following documents/information:

- 1) City Council Events Schedule
- 2) Update on the Firefighters Grant Program
- 3) Utility Account Service Suspensions
- 4) Proposed Revisions to Tempe City Code Chapter 28
- 5) Engineering & Transportation Department Update



City Council Events Schedule

October 1, 2021 thru November 20, 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.

Sat	Oct 9	10:00 a.m. - 1:30 p.m.	Tempe Old Settlers Picnic Location: Arizona Community Church 9325 S. Rural Rd. Tempe, AZ
Fri	Oct 15	9:00 a.m. - 11:00 a.m.	Free Art Friday and Edna Arts 50th Birthday Party Location: Edna Vihel Arts Center 340 S. Rural Road Tempe, AZ
Sat	Oct 16	Noon - 4:00 p.m.	Tempe Neighborhoods Together Food Drive Location: Pyle Adult Recreation Center Parking Lot 655 E. Southern Ave. Tempe, AZ
Sun	Oct 31	2:00 p.m. - 4:00 p.m.	Tales from Double Butte Cemetery Location: Double Butte Cemetery 2505 W. Broadway Rd. Tempe, AZ
Wed	Nov 3	6:30 p.m. - 8:00 p.m.	Featured Exhibit - Tempe 150: Milestones Location: Tempe History Museum 809 E. Southern Ave. Tempe, AZ
Fri	Nov 5	8:15 a.m. - Noon	Tempe Leadership Governance Day (Class 37) Location: TBD
Fri	Nov 5	5:30 p.m. - 8:00 p.m.	"Legends" Gala Reception presented by Tempe History Society Location: Tempe History Museum 809 E. Southern Ave. Tempe, AZ
Sun	Nov 7	Noon - 6:00 p.m.	Tempe 150: A Sesquicentennial Celebration! (free community festival)

			Location: Tempe Beach Park 80 W. Rio Salado Pkwy Tempe, AZ
Fri	Nov 12	7:00 p.m. - 9:00 p.m.	Arizona State Women's Basketball vs. Minnesota Location: Desert Financial Arena 600 E. Veterans Way Tempe, AZ
Thu - Sat	Nov 18 - Nov 20	All Day	National League of Cities City Summit Location: Virtual

10/01/2021 EF

MEMORANDUM

TO: Mayor and Council
FROM: Greg Ruiz, Fire Chief
DATE: September 29, 2021
SUBJECT: Update on the Firefighters Grant Program



March 6, 2020 will always be considered one of the darkest days for Tempe Fire Medical Rescue and the City of Tempe. We lost Firefighter Tommy Arriaga that day to an occupational cancer which Tommy courageously fought for more than a year. This loss, though tragic, did not happen in vain and because of the response from our Mayor, City Council, and City Management Team we may have saved other firefighters from possibly the same fate.

Soon after Tommy's loss in 2020, Deputy Fire Chief Kyle Carman set out on a mission to do everything possible to protect our members from cancer utilizing proactive measures. Chief Carman researched and found the Assistance to Firefighters (AFG) FEMA grant which would allow Tempe Fire Medical Rescue Firefighters to participate in a comprehensive cancer screening program. Vincere Cancer Center conducted the screening that included low-dose computed tomography (Chest CT scan), whole body Magnetic Resonance Imaging (MRI), and urology (prostate) screening. This screening was completed in July 2021 and during that time they identified twenty-one separate instances of possible cancer resulting in further testing. One member was found to have renal cell carcinoma (RCC). RCC is an aggressive and deadly form of kidney cancer that, we are told, would have easily taken another Tempe Firefighters life in a very short period of time.

Instances of cancers and health ailments detected by Vincere Cancer Center include:

- Low Dose Lung CT: 5 patients with lung nodules are being closely monitored, and 3 patients were referred to cardiology for dilated aorta.
- Whole Body MRI: 1 renal cell carcinoma was detected. 3 renal cysts, 2 hepatic cysts, 1 pancreatic cyst, and 1 thyroid nodule are requiring follow-up care and close monitoring.
- Urology (prostate cancer screening): 8 patients are requiring prostate follow-up care.

Mayor Woods, City Council, and City of Tempe THANK YOU for the 10% matching funds needed to accept and support the AFG cancer grant. The early cancer detection has changed the course of several firefighter lives.

MEMORANDUM

Financial Services Department



TO: Mayor & Council
THROUGH: Ken Jones, Deputy City Manager
FROM: Tom Duensing, Financial Services Director
DATE: October 1, 2021
SUBJECT: Utility Account Service Suspensions

Overview

In March 2020, Customer Services suspended utility service disconnections for late/non-payments on customer accounts, along with late and service suspension fees. This was done to balance the health issues of the COVID-19 pandemic with the potential economic hardships encountered by utility customers. These practices were consistent with utilities in Arizona and throughout the United States.

Beginning in January, the service suspension process will be reestablished. Please note that Tempe will be the last utility in the Phoenix metropolitan area to reestablish this process, and staff has done its very best to assist our utility customers, while maintaining financial viability of utility operations.

Efforts During the Pandemic

Staff's approach is to maintain a cooperative relationship with utility customers, and this approach continues through the pandemic. A sample bill insert is included for your reference as an example. Although we have not suspended water service for late/non-payment, we cannot and have not written off utility charges.

In an effort to minimize the impact on customers and ensure customers understand they are still responsible for all utility charges, City staff has been in contact with delinquent customers throughout the pandemic via letters, Tempe WaterSmart email, door hangers, and bill inserts. Customers are encouraged to continue to make payments, and staff remains very flexible on setting up payment plans. Staff also remains proactive in directing customers to the Tempe Community Action Agency; the Tempe Community Council, "Together Tempe" website; and other local non-profits for utility assistance in order to learn about opportunities to receive Federal/State/County/non-profit grants to assist with overdue bills.

We feel these proactive measures, outlined above, have minimized a) the number of delinquent accounts and b) the delinquent amounts owed to the City. Delinquent balances, throughout most of the pandemic, have remained relatively small and consistent since April 2020. As of September 8, 2021, we had approximately 2,500 Single-Family Residential accounts with eligible balances for disconnect totaling \$1.1 million. For reference, Customer Services bills and collects revenue totaling approximately \$100 million, annually.

Reestablishing the Service Suspension Process

Reestablishing service suspensions requires communication to utility customers well in advance of actual service disconnection. Staff intends to notify customers via the Tempe Today inserts in the November and December utility bills. Staff will also generate the standard Service Suspension Notices as outlined below.

Overall, City of Tempe customer charges do not initiate service suspensions until charges are 77 days past due. The service suspension process is summarized below.

- Utility bills are generated the first four Tuesdays of each month for water, sewer, and solid waste charges.
- Payments are due 27 days after the bill is generated. Any unpaid charges are considered past due.
- For past due balances, Service Suspension Notices are issued 63 days after bills are generated (36 days after the due date).
- Service is suspended 77 days after the bills are generated (50 days after the due date) if past due charges remain and no payment plan has been established.

The service suspension process is complex, and reimplementation must include thorough testing of the utility billing software application. This testing will be done over the next several months concurrent with the customer notices. Additionally, we feel it is important not to inconvenience customers with service disconnections during the holiday season.

If you have questions regarding the process, please reach out to Tom Duensing at (480) 350-8505. If you have legal questions regarding any of the policies or processes mentioned, the City Attorney's Office would be happy to address those questions in Executive Session.

MEMORANDUM

TO: Mayor and Council
THROUGH: Ken Jones, Deputy City Manager
FROM: Terry Piekarz, Municipal Utilities Director *TP*
DATE: October 1, 2021
SUBJECT: Proposed Revisions to Tempe City Code Chapter 28



PROPOSED REVISIONS

Tempe City Code Chapter 28 (Code) last updated in 2010, defines and regulates solid waste operations for the Municipal Utilities Department, private solid waste haulers and residential and commercial customers. Proposed Code changes reflect the addition of the Solid Waste Utility's new responsibilities and the need to clarify existing language related to private hauler licensing, residential and commercial customer obligations and to comply with Arizona Revised Statutes (A.R.S.) Sections 49-746 and 9-499.

The revised Code will modernize the framework for the Solid Waste Section to provide clear direction on managing alley and curbside solid waste maintenance violations, ensuring private hauler compliance while operating in the City and codifying aspects of the Code that distinguish the customer classification assignment for multi-family residential customers.

Alley Maintenance

Community surveys have identified alley maintenance as a quality of life issue. In recognition of this, Code language was modified and updated in alignment with state statute to give Solid Waste Inspectors a better tool to educate residential and commercial customers on their obligations to keep all adjacent alley property clean, in addition to maintaining curbside standards associated with the placement of uncontained garbage and green organics. Educating residential and commercial customers will be at the forefront of the Inspector's mission, with enforcement utilized in cases where there is prolonged noncompliance. There is also an added element of enforcement for habitual noncompliance, for those who have three violations within a twelve-month period.

Private Hauler Compliance

Several private solid waste haulers operate within Tempe providing commercial solid waste services including frontload garbage and recycling and roll-off container service options. Code regulates these private haulers through an annual licensing process, to ensure compliance with operational standards that affect service and safety. The revised Code language outlines the requirements for vehicle condition and performance and simplifies the process for private haulers to appeal any suspension or revocation of a license due to a violation of safety and service standards.

Multi-Family Residential Customers

Due to the Arizona State Legislature passing a law, codified in A.R.S. Section 49-746, defining multi-family dwellings containing five or more dwellings for rent or lease as commercial entities, and allowing them to choose their solid waste hauler, City Code must be revised to comply with the new regulations.

Definitions

The Code revisions update the department's definition of terms used in operations and public communications. In expanding Chapter 28, the following definitions were added:

Composting means the controlled decomposition of green organics, non-treated wood and manure through a process of grinding, mixing and watering to promote aerobic biological activity.

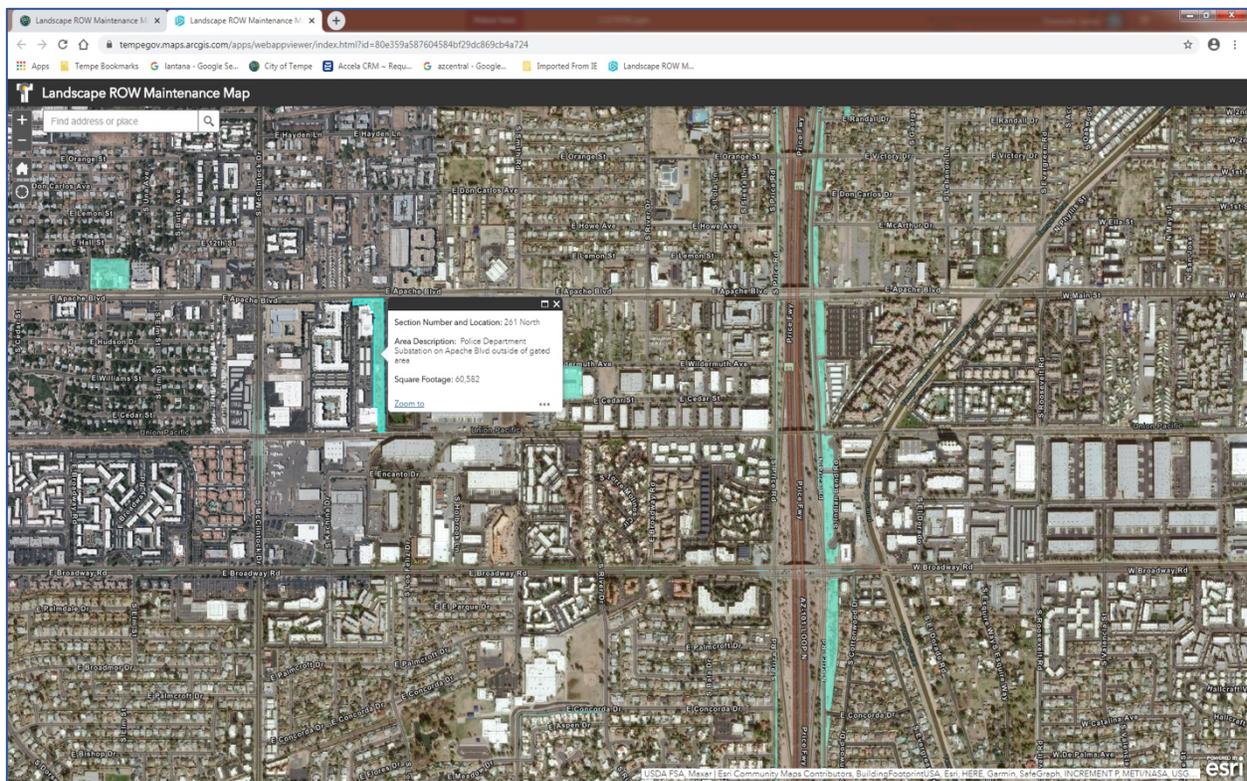
Right-of-Way Landscape Maintenance Update

The Transportation Maintenance Section is responsible for the maintenance and upkeep of landscaped areas within the street Rights-Of-Way (ROW) to help provide a safe environment for the traveling public, support the City's climate and sustainability initiatives, and enhance the aesthetic image of the City's streets through innovative landscaping maintenance activities.

Background

Tempe currently has 7.5 +/- million square feet of City rights-of-way under operational control. This represents approximately 35% of Tempe medians and linear frontage along the City's arterial ROWs. The remaining ROW is under regulatory control and ***improvements/maintenance are the responsibility of the adjacent property owners/management companies***. GIS data mapping has been created to identify the Cities assets in the right-of-way.

Link: <https://tempe.gov.maps.arcgis.com/apps/webappviewer/index.html?id=80e359a587604584bf29dc869cb4a724>



Screen Shot from GIS Layer – ROW areas shown in turquoise are the City's responsibility. Area details are found by clicking on the turquoise polygons.

Landscape Maintenance

Currently the City has four service levels provided in its contract.

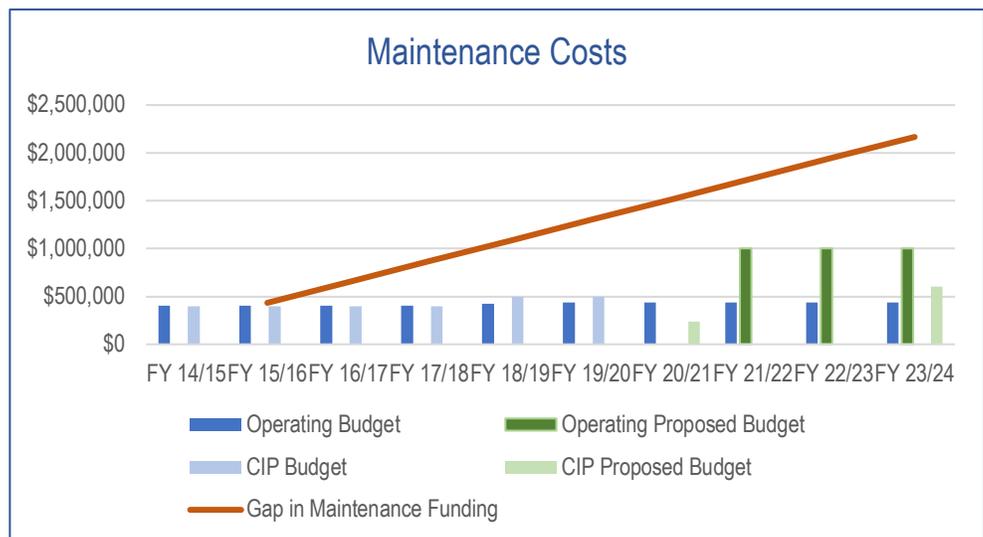
- **Service Level 1** – weekly service; example areas include gateways and high priority areas.
- **Service Level 2** – twice a month; example areas include medians and ROW landscape adjacent to arterial roads (majority of the contract is under this service).
- **Service Level 3** – monthly service; currently no locations.
- **Service Level 4** – quarterly service every three months; example areas include US60 alleyways (Low profile areas).

Staff utilize a contract with Yellowstone Landscape to perform routine maintenance which is generally done at a Service Level 2 (twice a month) and includes weed removal, litter abatement, minor irrigation repairs, trimming bushes (only when directed by city representative), raking, blowing, and minor tree trimming (only for heights clearance, sidewalk, and roadways).

Budget History

The fiscal years 2014 through 2019 budget for operations and maintenance ranged on average from \$400,000 to \$420,000 annually. The fiscal year 2020 contract went out to bid and came back over double the current operational budget.

Factors leading to this cost increase include over 1.4 million square feet of ROW landscape that have been revitalized in the previous years, contractor cost increases related to minimum wage increase and mandatory sick leave requirements, and the planting of over 1,200 new trees and 13,000 new plants.



Square Footage of Improvements and Maintenance Costs Continue to Increase
Creating Growing Gap Between Available and Required Budget

As a result of these cost increases staff made some difficult programmatic decisions, including reducing Service Levels from Level 2 (twice a month) to Level 4 (once every three months), and decreasing contracted staffing levels from 22 to seven workers.

Current Budget

The fiscal year 2022 budget approved by Council for operations and maintenance increased to \$1,300,000 annually allowing staff to return to contracted Service Level 2 (twice a month) and many locations. Challenges remain however:

- Excessive growth has reduced production, due to cutbacks needed (one year growth).
- COVID protocol (contractor staff average time off = 10 days) and COVID related supply chain delays.
- Contractor staffing (procurement states this is a problem throughout the valley).
- Monsoon damages and growth from a strong rainfall season.
- Homeless encampments (additional trimming).

Moving Forward

- Contractor has agreed to work six days a week until able to meet staff requirements of the contract.
- Through the annual landscape assessment, 51 locations have been identified as high priority and been scheduled for immediate maintenance.
- Gateway areas are gold standards for sustainable landscape in the City. Unfortunately, due to multiple factors during the previous year, these areas are below standards. Therefore, these areas are on the highest priority list to be addressed.
- Staff continues to work with the Sustainability and Urban Forestry staff to assist in the best care of our landscaped areas and ensure appropriate plant material is chosen for our unique climate.
- The target date to bring everything back to Service Level 2 (regular service standards) is December 2021.
- Staff will be preparing a budget supplemental request for Council to review as part of the Fiscal Year 2023 budget process.

Examples of Gateway Areas Improperly Maintained



Washington Street and Mill Avenue



Rio Salado Parkway and Rural Road

Shawn Thomson, (480) 350-8531, shawn_thomson@tempe.gov

Country Club Way Bike and Ped Improvements: Design Being Finalized

The Country Club Way project stretches from the U.S. 60 on the north to Warner Road on the south, roughly following the alignment of Country Club Way. The project will include a 10-foot-wide concrete path, an adjacent equestrian trail (between Warner and Elliot roads), landscaping, lighting, shade nodes, public art, and a pedestrian-activated traffic signal at Warner Road. The portions of the project north of Elliot will include the addition of buffered bike lanes, shared-lane markings, traffic calming, and improve the pedestrian environment and ADA access. The addition of bike lanes will not require the removal of vehicular travel lanes.

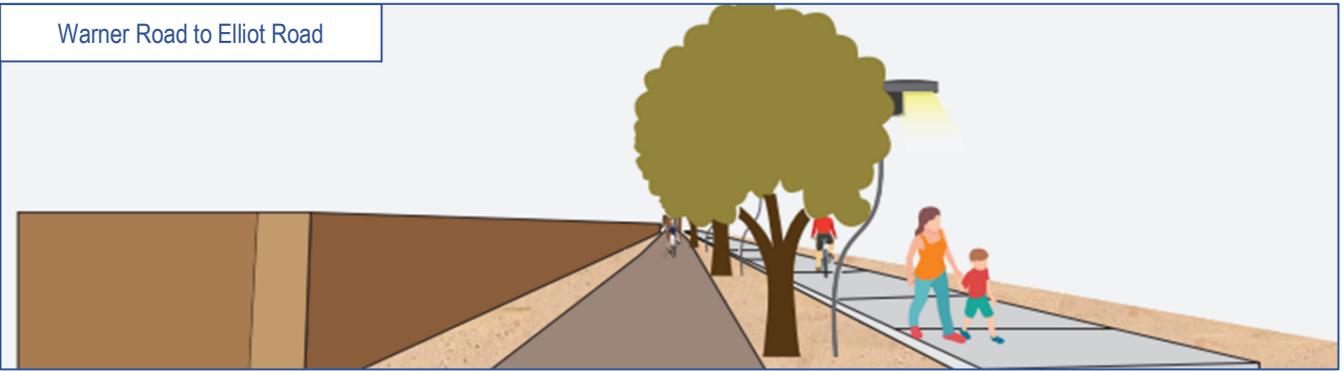
In June, staff conducted the third and final round of public meetings to present the draft 60% design plans and allow residents to provide final comments. The 60% draft design plan included responses to previous public comments and also added landscaped curb extensions/medians, an additional crosswalk in the Optimist Park Neighborhood for better connectivity from the project to Optimist Park, solar lights, and public art integration at the rest nodes. Following the two-week public comment period, staff received 12 additional survey responses which the design team will review and incorporate to advance the 60% design plans to the final plans. These comments can be viewed through the public input summary located at tempe.gov/countryclubwaypath.

Currently, the project is finalizing the required environmental documents and right-of-way clearances. The final design plans, specifications, and estimates will be submitted to ADOT in May 2022. Staff estimates that all required state and federal approvals to obligate the funds will be received in September and construction will start in late 2022 or early 2023.

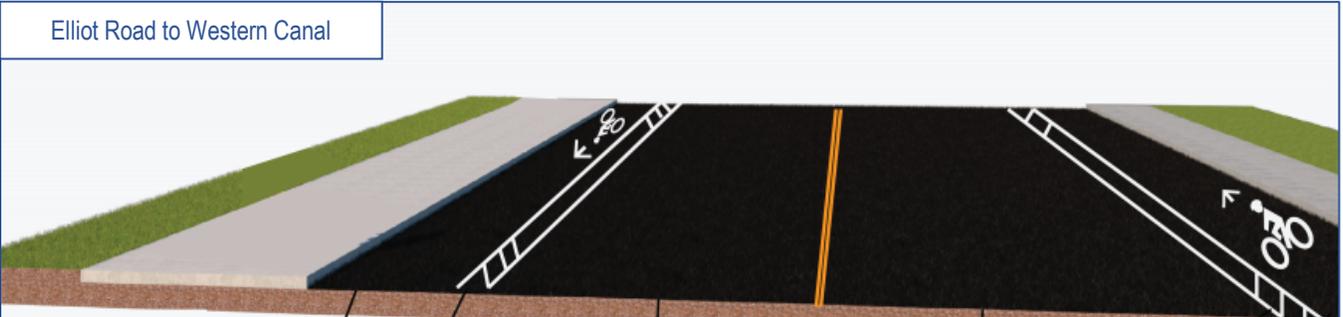


Conceptual rendering of public art integration at rest node in coordination with artist, Bobby Zokaites. Preliminary color selection and finish shown, design still in progress.

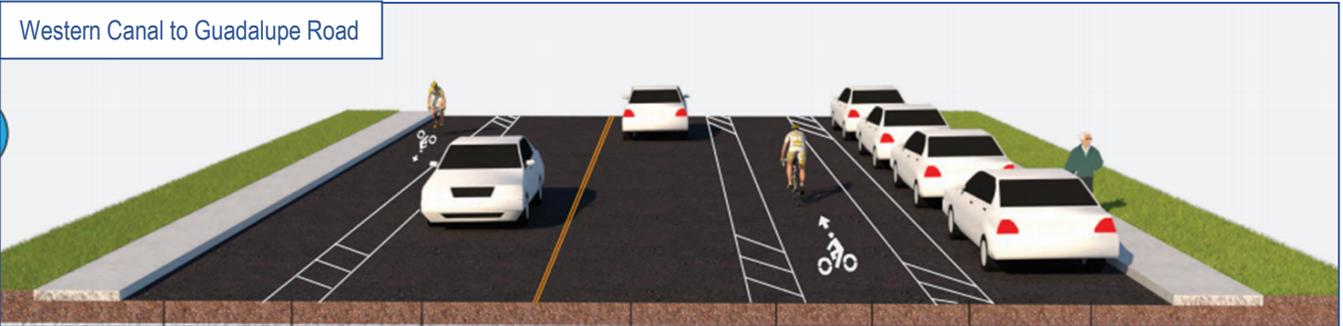
Warner Road to Elliot Road



Elliot Road to Western Canal



Western Canal to Guadalupe Road



Guadalupe Road to Watson Drive



Watson Drive to US-60



Background:

The Country Club Way Bike and Pedestrian Improvement Project is identified in Tempe's Transportation Master Plan. In May 2016, the Transportation Commission approved staff recommendation to submit an application for the project to compete for Maricopa Association of Governments (MAG) Design Assistance funding. In 2016, the project was awarded \$82,500 to develop a preliminary project assessment report and design concepts for a bike and pedestrian improvement project along Country Club Way.

In 2017, public meetings were held to gather feedback on the preliminary design concepts. Public comments received were incorporated to develop the final preliminary design concepts. In 2018, staff submitted a federal grant request for construction funding for the Country Club Way project from Warner Road to the US-60. Tempe was awarded Congestion Mitigation and Air Quality Improvement grant totaling \$2,611,733 to fund the construction of the project. The funds will be available in Fiscal Year 2022.

In the fall of 2019, the City retained design consultant HDR to develop the final construction plans, specifications, and estimates for the project. The final design has kicked-off, and preliminary design alternatives were presented to the public this past fall. Staff and HDR reviewed the feedback received from the public and identified the preferred alternative to be advanced to 30% design for the corridor. The design team also identified additional concerns related to the absence/addition of a future pedestrian activated traffic signal at Warner Road, preserving mature trees, and the design and placement of the proposed rest nodes. In February of 2020, staff presented the 30% design plans which moved forward alternatives that created an expanded buffer space between private property walls and the proposed path, the addition of 158 new trees, increased lighting and visibility at rest nodes, and the inclusion of the pedestrian signal at Warner Rd. Staff also presented the alternatives to the City's Transportation and Sustainability Commissions for comments and recommendations.

Common themes from the comments included the desire for additional shade, drinking fountains, drought-tolerant landscaping that was not "messy" or otherwise present a hazard to puncturing tires, traffic calming, separation of pedestrians and vehicles, solar lighting, and materials that would dissipate the urban heat island effect. In addition, all unique survey responses can be viewed through the published public input summaries at www.tempe.gov/countryclubwaypath.

Chase Walman, (480) 858-2072, chase_walman@tempe.gov



**Tempe utility customers...
we're in this together and
the city's here to help.**



Tempe is committed to serving you as we navigate the COVID-19 outbreak together.

The city has taken steps to ensure customers have uninterrupted water and trash pick-up service. If you are experiencing hardships due to the pandemic, let us help. It is vital that customers set up payment plans now in order to access all options before any potential service disconnections. Please note that we are unable to eliminate your obligation to pay, but will work with you on a payment schedule.



There are **2 drop box locations** throughout the city. Drop box payments are collected and processed each business day. Payment drop boxes are available at the following locations in Tempe:

- City Hall complex parking lot at 17 E. 5th St.
- Tempe Public Library has been relocated to the Pyle Adult Recreation Center at 655 E. Southern Ave.

Customer Service is available online and by phone, to assist residents with their questions regarding billing issues, meters and leaks, start/stop service and much more. Payments can be made online, by mail or by phone. Please visit tempe.gov/CustomerService or call 480-350-8361. Full service is available by phone from 7 a.m. to 5 p.m. Monday through Friday.

If you need help . . .

If you need help with any of your utility bills during this difficult time, these resources are available:

Tempe Community Action Agency (TCAA)

Call 480-422-8922.

tempeaction.org/utilitybills

Tempe Salvation Army

Food, utilities, hygiene Call 480-967-8649

tempe.salvationarmy.org/tempe_corps/overcome-poverty

CARE 7

Free financial navigator for one-on-one help finding resources. tempe.gov/CARE7

Compost/inert facility means a location where green organics, non-treated wood, rock, dirt, cement and manure from non-medicated vegetarian animals are delivered for processing.

Donation container means any container used for textile material such as clothing, bedding, cloth bags, etc., or household goods such as home décor items, housewares, etc.

Dwelling unit means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household. Dwelling unit does not include real property used to accommodate a mobile home, unless the mobile home is rented or leased by the landlord.

Gate rate means any fees charged for incoming and outgoing materials to the compost or inert facility and transfer station.

Inert means material, such as concrete, rock and dirt, that does not decompose over the course of time, but can be repurposed.

COMMUNITY IMPACT:

There are community benefits as a result of the Code revisions. The updated definitions used by the Solid Waste Section more accurately define terminology for the public and align with current department objectives. The Code was revised to clarify the responsibilities of property owners and property occupants for alley maintenance and the placement of uncontained garbage. The Code will align with A.R.S. Section 9-499 and provide 30 days for violations to be corrected. This will give residents and businesses ample time to comply with neighborhood standards. It will also position Solid Waste Inspectors as partners with the community, to educate while providing a clear enforcement process, when necessary, to improve neighborhood quality of life. To be more considerate of the business community, the Code clarifies operational and safety standards for private solid waste haulers doing business in the City and simplifies an appeals process for private haulers if they fail to meet appropriate standards for safety and service.

PUBLIC INVOLVEMENT:

Public involvement for Chapter 28 revisions was included in the 2021 Solid Waste Rate Study Results and Recommendations Public Meeting on August 20, 2021, and the Public Comment Survey that was open to the public from August 12, 2021, through September 12, 2021. The results of the Public Comment Survey were provided to Mayor and Council as part of the September 17, 2021, City Council Weekly Information Packet and available online at tempe.gov/UtilityRateStudy.

TIMELINE:

October 14, 2021, Regular Council Meeting – First Public Hearing of Chapter 28 Ordinance
November 9, 2021, Regular Council Meeting – Second Public Hearing of Chapter 28 Ordinance
January 1, 2022 – If adopted, Ordinance will go into effect.