



City Council Weekly Information Packet

Friday, May 20, 2022

Includes the following documents/information:

- 1) City Council Events Schedule
- 2) State and Federal Update & Grant Opportunities
- 3) Conversion to Battery-Powered Blowers for Landscape Maintenance
- 4) Update on the Status of Kiwanis Pool Waterslide and Tile CIP Project
- 5) Engineering & Transportation & Telecom Annual Fee Adjustment



City Council Events Schedule

May 20, 2022 thru October 22, 2022

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.

Fri	May 20	8:00 a.m. – 9:30 a.m.	Streetcar Opening Celebration Location: Marina Heights property on Rio Salado Parkway - across from the Streetcar station 600 E. Rio Salado Parkway Tempe, AZ
Fri	May 20	10:00 a.m. – Noon	Hydrogen Study Project Tour Location: Southwest Gas Operations Facility 5705 S. Kyrene Road Tempe, AZ
Sat	May 21	9:00 a.m. – 10:00 a.m.	Escalante Neighborhood Association Meeting Location: Escalante Community Garden 2150 E. Orange Street Tempe, AZ
Thu	June 9	8:30 a.m. – 10:30 a.m.	Parc Broadway’s Makerspace Unveiling in Tempe’s Makerspace District Location: Parc Broadway 711 W. Broadway Road Tempe, AZ
Thu	June 9	11:00 a.m. - Noon	Ribbon Cutting: Martinsen Wealth Management Location: 7855 S. River Parkway, Suite 206 Tempe, AZ
Fri	June 10	8:30 a.m. – 9:30 a.m.	Clark Park Improvements Groundbreaking Location: Clark Park 1730 S. Roosevelt Street Tempe, AZ
Sat	June 18	11:00 a.m. – 3:00 p.m.	2022 Juneteenth Celebration Location: Tempe History Museum 809 E. Southern Avenue Tempe, AZ

Sun	July 3	6:00 p.m. – 10:00 p.m.	Independence Day Event Location: Tempe Beach Park 80 W. Rio Salado Parkway Tempe, AZ
Tues – Fri	Aug 30 – Sept 2	All Day	2022 League Annual Conference Location: The Renaissance 9495 W. Coyotes Boulevard Glendale, AZ 85305
Wed	Oct 12	5:30 p.m. – 9:00 p.m.	39th Don Carlos Humanitarian Awards Location: SRP PERA Club 1 E. Continental Drive Tempe, AZ
Sat	Oct 22	3:00 p.m. – 7:00 p.m.	Getting Arizona Involved in Neighborhoods Location: Various locations Tempe, AZ

05/20/2022 JR

MEMORANDUM



TO: Mayor and City Council
THROUGH: Andrew Ching, City Manager
FROM: Marge Zylla, Government Relations Officer
DATE: May 20, 2022
SUBJECT: State and Federal Update & Grant Opportunities

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

- Water Resources Development Act of 2022, Tempe Project
- FY 2023 Community Project/Congressionally Directed Funding Requests
- COMPETES Act, U.S. Innovation and Competition Act, FABS Act Letter
- State Legislative Update
- Grant Opportunities

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.

Water Resources Development Act of 2022, Tempe Project

This week, the House Committee on Transportation and Infrastructure, which includes Congressman Stanton, voted to advance the Water Resources Development Act (WRDA). WRDA provides the authority for the U.S. Army Corps of Engineers to carry out water resources development projects and studies and includes \$37.5 million to expand and improve the City of Tempe's Kyrene Water Reclamation Facility and groundwater recharge facilities. Mayor Woods is quoted in the [press release](#). It is expected that the full U.S. House of Representatives will vote on WRDA as early as June.

FY 2023 Community Project/Congressionally Directed Funding Requests

Congressman Stanton's offices announced the Congressionally Directed Funding requests that will be advanced in the funding process. In April, the Weekly packet memo included the projects that the City of Tempe had submitted for consideration. There are 2 City of Tempe submissions that are being advanced:

- Affordable Workforce Housing
- College Avenue/University Drive Underpass

The announcement and additional project information is available [this link](#).

COMPETES Act, U.S. Innovation and Competition Act, FABS Act Letter

Mayor Woods joined other elected officials and state and regional leaders in signing a letter to the Arizona federal delegation that urges prioritizing the reconciliation of the America COMPETES Act and the U.S. Innovation and Competition Act, as well as consideration of the FABS Act. The letter is attached.

State Legislative Update

Today is the 131st day of the 2022 state legislative session and 1,780 bills have been posted. The legislature has passed 255 bills and 229 bills have been signed by the Governor. The bills of interest to Tempe will be added to lists (described below). Over 400 bills have been monitored by the city this session. Bills of significant interest will be highlighted in future memo summaries as the proposals are amended in the legislative process.

Bill Lists

The bills of interest to Tempe continue come up as amended proposals and strike-everything amendments, while some will fail to meet deadlines for scheduling or passage. Staff is analyzing legislative proposals as they become available. The lists will be adjusted to reflect the latest available information. Bills that have failed to meet deadlines or have not received sufficient votes will be noted as "Dead". To note, bills that have been signed by the Governor will have an effective date of 90 days after the end of the legislative session (unless there is an emergency clause that is noted in the specific bill). Since session has not yet adjourned sine die, the exact effective date is not known.

The tracking list includes the summaries of bills that may be of interest to Tempe. These lists are not exhaustive, and as more analysis is done, additional comments and/or bill tracking lists may be included. Readers can use the search/find tool (keyboard shortcut: press "Ctrl" and the "F" key) to search for terms of interest, like fireworks, rentals, zoning, etc. There has not been much legislative activity that has affected the tracking list in the last week. Last week's tracking list is available at [this link](#), beginning on page 8 of the pdf.

In addition to the bills on the tracking list, the city will also be monitoring for proposals in areas including the following:

- State Budget

- Four weeks ago, the House introduced 12 budget bills (HB 2841 – HB 2852). These were represented as baseline budget bills, which were a continuation of the current year’s budget with adjustments for inflation and growth, but not including policy-based increases or additional appropriations beyond formula growth. These bills failed to pass out of the House Appropriations Committee. The Governor suggested he would not sign a ‘skinny budget’ in an interview with [KTAR](#), that he is advocating for a budget that includes funding for priorities such as water, tax cuts, border security, and education.
- We will continue to monitor the budget activities. The Legislature needs to pass a budget prior to 7/1/22, or agencies will not have funding appropriated for Fiscal Year 2023.
- Affordable Housing
 - The League of Arizona Cities and Towns has compiled a list of affordable housing efforts that could be addressed at the legislature and implemented at the municipal level. Tempe supports this concept.
 - The city supports a number of bills that add funding to the Housing Trust Fund. Unfortunately, SB 1531 (housing trust fund; appropriation), was not scheduled for a committee hearing prior to a session deadline and will not move forward this session. These proposals may be part of budget negotiations and factor into the appropriations bills. It is expected that additional housing concepts may appear as strike-everything amendments, as well.
 - There is a discussion involving a study committee to analyze housing supply. Affordable housing is a crucial issue and would need to be a focus point of the committee.
- Short Term Rentals
 - Short term rental bills are found in a number of the categories on the bill tracking list, including the “Neighborhoods” tracking list. Bills relating to short term rentals that have been introduced so far include SB 1168, HB 2334, HB 2625, HB 2663, HB 2321, SB 1026, and HB 2069.
 - SB 1168 appears to have the most momentum at this point. There may be opportunities for amending language to enhance local decision-making options. Neighborhood notifications, state and local licensing, and maximum concentration thresholds for short term rentals are all concepts that are being discussed. However, we would not support amending language that would take away the few tools that currently exist for cities and towns.
 - Both SB 1026 and HB 2069 propose a full repeal of the preemption language passed in the 2016 legislative session. They have not been moved forward.
 - Both HB 2625 and HB 2711 contain favorable language to add some regulatory ability to local governments, although HB 2711 would not apply to Tempe due to the bill’s current population threshold. These will not be moving forward.
- Proposition 400 Extension Authorization
 - The city supports SB 1356 (transportation tax; election Maricopa County) and its identical bill in the House, HB 2598. SB 1356 has passed out of the Senate with city-supported amending language. HB 2598 included city-supported amendment language as it passed out of its House committee, but is no longer moving forward due to session deadlines.
- Local Zoning Issues
 - The city opposed to HB 2674 (municipal zoning, by right housing), as introduced, which proposes to contradict the city’s voter-approved General Plan and preempts existing zoning, permitting, cod, spacing, building height, spacing, environmental and other requirements. The engagement on this bill led to it being held (meaning it was not heard or voted on in the committee for which it was scheduled) and led to one of the sponsors noting that [the bill would no longer be advanced](#) for the session. This bill will be used as a vehicle for a strike-everything amendment that would propose a study committee to evaluate housing.
- Fireworks
 - The city is supportive of HB 2226 (fireworks; use; overnight hours; prohibition) and the identical bill in the Senate, SB 1275. SB 1275 was signed into law by the Governor.

- The city opposes a preemption amendment that has been proposed for HB 2255. The bill as introduced did not contradict the city's legislative principles, but the city opposed the preemption language that was added in the amendment.
- Liability Issues
 - The strike-everything amendment, and subsequent amendment to that striker, on SB 1581 has concerning language that predicates city eligibility for state funding for homelessness efforts on the city engaging in activity that contradicts a federal court ruling (*Martin v. Boise*). There may be opportunities for amending language that would allow resources to be deployed to enhance housing opportunities for those experiencing homelessness.
- Tobacco/Vaping
- Taxation Proposals
 - The city opposes the tax break proposal for entities that are in the businesses of residential rentals, which appeared as a strike-everything amendment on SB 1116. This would result in a revenue loss to the city of over \$13 million annually, and would give a tax break to one special interest that would exclude them from contributing to the transaction privilege taxes that are remitting by other companies doing business in the city. These revenues fund programs, capital investments, infrastructure projects, public safety, and services including affordable housing construction and rental assistance. A myth/fact summary and the fiscal impacts of the bill by city and by legislative district that was put together by the League was included in an earlier memo.
- Water Policy
 - The city opposes the strike-everything amendment on SB 1171, which would upend the current framework for water allocations, water supply forecasting and water management. We are monitoring to see if it is put on an agenda. There have been claims that municipalities are supportive of the proposal, this is not the case.
 - Earlier this week, the Senate Majority issued a memorandum proposing a water investment package as a counter proposal to the Water Authority proposal. The Senate Majority has expressed aversion to creating a new governmental agency in this space, so this counter proposal utilizes existing entities. The memo is attached.

The city's framework for responses to legislative proposals is the Council supported Tempe State Legislative Principles, which are available at [this link](#).

Grant Opportunities

The Arizona Department of Environmental Quality (ADEQ) has announced the availability of funding for water quality management planning projects. According to ADEQ, \$166,000 is available for the performance period of September 2022 through September 2023. The funds are available for activities such as:

- Improving stormwater systems
- Determining ways to expand green infrastructure programs
- Determining the nature, extent and causes of point and nonpoint source water pollution problems, and developing plans to resolve these problems
- Other water quality management planning projects

Applications are due by July 15, 2022. More information and a copy of the application are available on the ADEQ website at <https://azdeq.gov/node/8484>.



May 11, 2022

The Honorable Greg Stanton
1214 Longworth HOB
Washington, DC 20515

Representative Stanton:

On behalf of the Greater Phoenix Economic Council (GPEC), ExecMission delegation to Washington, D.C, we are writing to advocate for prioritizing the reconciliation of the America COMPETES Act and the U.S. Innovation and Competition Act – allocating \$52 billion dollars for investment in semiconductor manufacturing, research and development in the United States. The signatories of this letter include mayors, business leaders and economic development directors from Greater Phoenix and throughout Arizona.

There are 32 active pipeline projects in the semiconductor industry looking to locate to Greater Phoenix. These projects represent more than 10,000 jobs and \$54 billion in capital expenditures. Many of these projects are reliant on the passage of the semiconductor focused legislation and its subsequent \$52 billion in federal funding to move forward. Additionally, we ask that suppliers be considered for federal incentives due to their contributions in fortifying the semiconductor ecosystem in America. With rising materials, construction and labor costs, many of the prime chemical, substrate and packaging suppliers are reevaluating their plans to invest in the United States without federal incentives. Lastly, to support long-term growth in the domestic semiconductor ecosystem, we ask that you consider the FABS Act – a proposed permanent tax credit for investment in semiconductor manufacturing facilities and semiconductor manufacturing properties, bolstering our regional economy.

For these critical reasons, we urge the reconciliation process of the aforementioned legislation, strengthening the national economy and domestic security. Thank you for your attention to this matter.

Sincerely,

Chris Camacho
President & CEO
Greater Phoenix Economic Council



Brigette Peterson
Mayor
Town of Gilbert

Joe Pizzillo
Mayor
City of Goodyear

Lori Gary
Economic Development Director
City of Goodyear

Eric Orsborn
Mayor
City of Buckeye

Andre Kudelski
Chairman of the Board and Chief Executive
Officer
Kudelski Group

Eliot Kaplan,
Partner, Perkins Coie LLP

Aric Bopp
Executive Director - Economic
Development and Innovation Zones
Knowledge Enterprise Development
Arizona State University

Corey Woods
Mayor
City of Tempe

Sintra Hoffman
President and CEO
WESTMARC

Candace Rosauo
Business Development
Layton Construction

John Giles
Mayor
City of Mesa

Cathy Teeter
Managing Director
CBRE | Advisory & Transaction Services

Cathy Carlat
Mayor
City of Peoria

Robin Reed
President & CEO
Black Chamber of Arizona

Neil Giuliano
President & CEO
Greater Phoenix Leadership

Christian Price
Mayor
City of Maricopa

David Rousseau
President
Salt River Project

Rob Millar
Economic Development Director
City of Scottsdale

Craig McFarland
Mayor
City of Casa Grande

Jennifer Stein
Economic Development Director
City of Peoria



Angela Creedon
Public Affairs Manager
Intel Corporation

Kim Poole
Vice President, Economic Development
Clayco

Derrick Hall
President & CEO
Arizona Diamondbacks

Adam Goodman
President
Goodmans Interior Structures

Lawdan Shoojaee
Co-founder and Owner
AZ CoWork

Memo

To: Speaker Bowers, Rep. Griffin, Rep. Dunn, Katie Ratlief, Buchanan Davis, Jordy Fuentes

From: President Fann, Senator Kerr, Senator Gray

cc: Senator Borrelli, Senator Gowan, Senator Leach

Date: May 16, 2022

Re: Senate Majority proposal on water investment package

Background

We have appreciated collaborating as an active participant in the conceptual development of the Arizona Water Authority (AWA) proposal. As first reported to this group April 19th, and reestablished in caucus and small group meetings since, the Senate Majority ("Majority") has broadly supported a significant water investment but has conveyed uniform reservation with the current structuring of AWA. While initiating recent stakeholder participation has improved targeted aspects of the proposal, the Majority continues to have the following concerns: 1) the new AWA entity is a larger than necessary administrative expansion of government and expenditure of taxpayer resources; 2) funds will not be deployed rapidly to "shovel-ready" projects; 3) the powers granted to AWA extend beyond the scope of necessary government authority (**Attachment 1**); and 4) augmentation decisions should be information-driven based on a water needs assessment.

Proposal

The Majority concludes that the financing objectives of AWA and key aspects of its mission can be achieved through moderate investments in existing government entities accompanied with narrow statutory revisions. We propose a collaborative deployment of the existing Water Infrastructure Financing Authority (WIFA), WIFA Advisory Board, Department of Water Resources (DWR) and Arizona Finance Authority (AFA), along with a new Long-Term Water Augmentation Fund Advisory Board with limited duties (**Attachment 2**)

WIFA. WIFA would continue administering grants, loans and bonds for the Water Supply Development Fund (WSDF), in addition to the federal Clean Water and Drinking Water programs ([A.R.S. § 41-1203](#)). WIFA would retain the \$46M appropriated in last year's budget, along with a sizeable investment this year primarily dedicated to projects outside CAWCD's three-county service area ("rural"). These in-state projects would be eligible for grant funding with dedicated matching funds, with lowered matching dollar eligibility requirements for rural projects. WIFA would continue to submit eligible WSDF projects to the WIFA Advisory Board for recommendation to AFA. WIFA would also determine eligibility of projects for investment, loans or bonds from the Long-Term Water Augmentation Fund (LTWAF). Eligible LTWAF projects must import renewable resources developed outside of Arizona and include a water provider commitment for end users receiving water. WIFA would submit eligible LTWAF projects to the LTWAF Advisory Board for recommendation to AFA. As with current administration of the WSDF, the WIFA loan servicing division would monitor and assess LTWAF project performance following the state investment. WIFA would receive appropriate ongoing funding for increased administrative workload.

WIFA Advisory Board. The [WIFA Advisory Board](#) would continue to review WSDF applications and recommend action to the AFA. The WIFA Advisory Board is chaired by the ADEQ Director, with members representing DWR, Arizona Commerce Authority, Arizona Corporation Commission, water systems serving more than 500 customers, water systems serving less than 500 customers, municipalities of 50,000 residents or more, municipalities of 50,000 or less, counties with a population greater than 50,000, sanitary districts from counties with a population of less than 500,000 (vacant) and sanitary districts from counties with a population greater than 500,000 (vacant) ([A.R.S. § 41-5356](#)). These vacant positions should be replaced with water user representatives from rural counties.

DWR. DWR would begin conducting a statewide water needs assessment. WIFA would provide all relevant project details to DWR upon receipt of an LTWAF application. DWR would evaluate the ability of the project to address supply reductions to existing water users, considering current mitigation measures available to those existing water users. DWR would also identify whether project participants include entities whose water supplies have been reduced due to Colorado River shortages. DWR would receive appropriate ongoing funding for increased workload.

LTWAF Advisory Board. Comprised of geographically diverse executive appointees and ranking bipartisan members of the Senate and House water committees, the LTWAF Advisory Board would review an LTWAF project application based on WIFA's financial viability assessment, DWR's review for continuity with state water priorities and the draft project evaluation criteria in A.R.S. § 45-2892.01. The Advisory Board would make recommendations to AFA for approval or denial. The Advisory Board would convene at the Legislature under open meeting laws and accept public testimony.

AFA. The AFA Board consists of "five members to be appointed by the Governor, giving due consideration to a diverse geographical representation on the board" ([A.R.S. § 41-5353](#)). The Board's statutory appointment framework would be amended to mirror the Governor's Regulatory Review Council ([A.R.S. § 41-1051](#)): 1) all AFA appointments require Senate confirmation pursuant to [A.R.S. § 38-211](#); 2) one board position must be selected from a list of three applicants provided by the Senate President; and 3) one board position must be selected from a list of three applicants provided by the Speaker of the House. AFA will continue to review and approve or deny WSDF applications. AFA will approve or deny LTWAF project applications based on recommendations from the LTWAF Advisory Board, assessments provided by WIFA and DWR, and the draft project evaluation criteria and cost recovery requirements in A.R.S. § 45-2892. AFA's existing powers include: 1) making and entering into agreements, including intergovernmental agreements; 2) protecting and enforcing its interest in a project financed through its resources; and 3) acquiring title to real property or other assets by purchase ([A.R.S. § 41-5354](#)). AFA's powers could be expanded to include owning rights to water in trust until delivered to dedicated subscribers and clarifying that title to real property includes water infrastructure. AFA Board members currently may not have any direct or indirect personal financial interest in any project financed; additional conflict of interest provisions from the draft bill should be added. Similar to the structure of the legislative requirements in [A.R.S. § 45-106](#), the Legislature must authorize, by concurrent resolution, AFA to enter into an agreement to import water.

Benefits

Mission. Dating back to the Governor's State of the State, the conveyed objective of AWA has been the state's participation in a large-scale, long-term augmentation project that imports renewable resources into the state, e.g. desalination plants or floodwater harvesting. Water experts concede that even a one-billion-dollar appropriation represents a fraction of the investment required to initiate this type of project. As such, the state will likely be a participant in a large-scale augmentation project, not the principal investor. Nor should it be. The private sector will continue to lead in innovation and investment. The state can and should expedite the timeframe for this innovation to occur with a sizeable taxpayer investment, but it should not take leadership as the primary managerial actor. The Senate Majority's proposal specifically furthers this goal by preserving capital for a large-scale importation project rather than expending through administration. The current AWA proposal contemplates partnership in a LTWAF project through loan and bond distribution; a further discussion on whether loans and bonds alone from the LTWAF will position the state to own water or infrastructure, or if direct investment in exchange for equity is needed.

Timeliness. Senate Majority members have expressed a need to finance in-state projects immediately. Prior to the first dollar out the door from either the WSDF or LTWAF, AWA requires: 1) a legislative committee to identify, vet and select 21 potential appointees; 2) the Governor to select 7 members comprising the AWA Board ("Board"); 3) the Board to divide itself into two subcommittees; 4) the Board to attract, interview and hire staff and make other personnel decisions; 5) the Board to adopt initial rules; and 6) staff to establish forms, procedures, a website and other administrative necessities. WIFA has 18 FTEs that are positioned to receive and process funding applications immediately (**Attachment 3**).

Certainty. WIFA and DWR are known, reputable assets in Arizona's water community. In September of 2021, the Auditor General released a [glowing audit](#) of WIFA with a single recommendation: repeal their sunset. As such, [HB 2556](#) (water infrastructure finance; sunset repeal) was passed unanimously through the Legislature and signed by the Governor this year. WIFA will now be audited during the Office of Economic Opportunity's review, in addition to the annual CPA-conducted audits delivered to the Auditor General and Legislature ([A.R.S. § 49-1204](#)). Since its inception in 1997, WIFA has funded nearly \$2.6 billion of water infrastructure projects for communities throughout the State and currently manages an active portfolio of \$970 million (**Attachment 4**). DWR has trusted leadership and widely respected expertise in water management. While the proposal's mission is separate and apart from DWR's regulatory function, the department's institutional knowledge and access to information should be utilized by LTWAF project decisionmakers rather than siloed apart from a new entity with additional water experts (likely pulled away from DWR).

Cost. A new government entity will be costly and result in administrative expenses that do not directly further the stated objectives of the investment (e.g. office space, equipment, human resources, accounting, technology, additional audit). Expenses for purposes that do further its purpose will also be higher; bond council retained to consult on the AWA proposal shared that bond rating origination for new issuers can cost between \$80K-\$90K until a proven record has been established. With a history of delivering AAA rated bonds, WIFA's cost to originate new investments will be significantly lower.

Efficiency. Arizona should have a single interface for all water infrastructure project applicants: 1) Clean Water; 2) Drinking Water; 3) Water Supply Development Fund; and 4) Long-Term Water Augmentation Fund. Throughout deliberation of the AWA proposal, identifying the universe of potential projects has been cumbersome and nearly impossible. As the sole recipient of water infrastructure applications statewide, WIFA can provide an ongoing roster of projects to policymakers.

Leverage. WIFA is scheduled to receive significant federal funds from the Infrastructure Investment and Jobs Act: \$130M to \$150M per year for the next five fiscal years – altogether totaling over \$700M (**Attachment 5**). As the single application point for all water infrastructure projects, WIFA may determine that federal funds can cover certain or all project elements rather than using state resources.

Governance. Partnership in a large-scale, long-term water augmentation project should be reviewed at the Legislature by an advisory committee of bipartisan members alongside appointed water experts. With access to financial data provided by WIFA and water expertise provided by DWR, this transparent process would extend confidence to Arizona taxpayers funding the investment. If additional statutory revisions or government powers are needed for project participation, the policymakers on the committee can shepherd through the Legislature. Placing final decision making with the Arizona Finance Authority signals that sound, responsible investing is top priority. In governance, the state would borrow the model used by venture capitalists reviewing investments – decisionmakers with strong financial backgrounds will review recommendations supplied by subject-matter experts to make an information-based decision, in this case provided by WIFA, DWR and the LTWAF Advisory Committee. This proposal additionally affords an opportunity to restore confidence in the AFA by mirroring its appointment process with GRRC's proven statutory framework.

Conclusion

The Senate Majority remains committed to a significant water investment. We look forward to continued work towards a solution that protects the taxpayers' investment, limits government expansion and funds projects with the expediency required by this historic drought. We propose a collaborative deployment of existing resources to preserve and maximize our investment in Arizona's water future.

Attachment 1. Government Powers (existing powers / new powers)

WIFA

1. Issue negotiable water quality bonds, **including LTWAF bonds**
2. Provide grants, staff assistance or technical assistance in the form of loan repayment agreements, **including for LTWAF**
3. Contract for the services of outside advisors, attorneys, consultants and aides reasonably necessary or desirable to allow the authority to adequately perform its duties.
4. Assess financial assistance origination fees and annual fees to cover the reasonable costs of administering the authority and the monies administered by the authority
5. Guarantee debt obligations
6. Apply for, accept and administer grants and other financial assistance from the United States government and from other public and private sources.

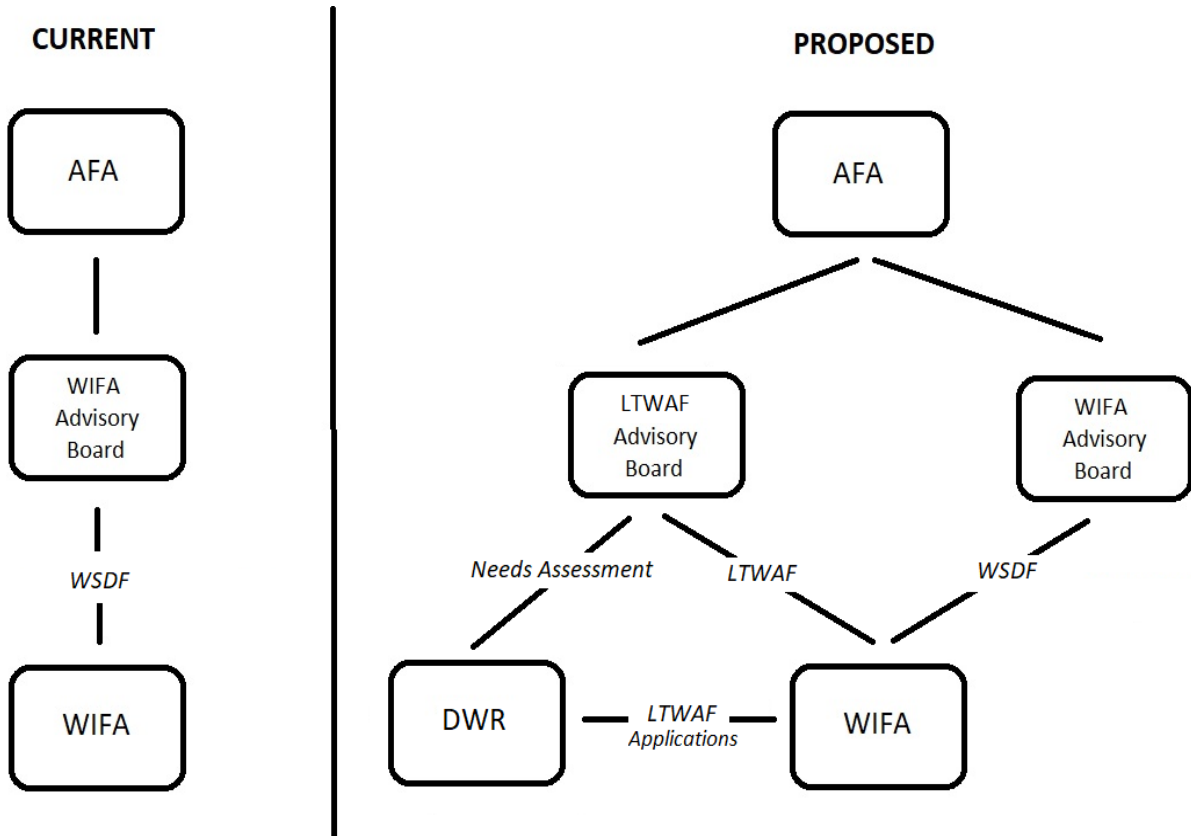
AFA

1. Contract with, act as guarantor for or coinsure with any federal, state or local governmental agency and other organizations or corporations in connection with its activities under this article and receive monies relating to those contracts and services
2. Acquire title to real property or other assets by gift, grant or operation of law, or by purchase, **including water and infrastructure**
3. Protect and enforce the interests of the authority in any project financed through the authority's resources.
4. Make and enter into agreements, including intergovernmental agreements, execute all instruments, perform all acts and do all things necessary or convenient to carry out the powers granted.
5. Employ or contract with experts, engineers, architects, attorneys, accountants, construction and financial experts and such other persons as may be necessary in the board's judgment and fix their compensation.
6. Sue and be sued
7. Enter and inspect any facility financed to investigate its conditions and to examine all records relating to capitalization, income

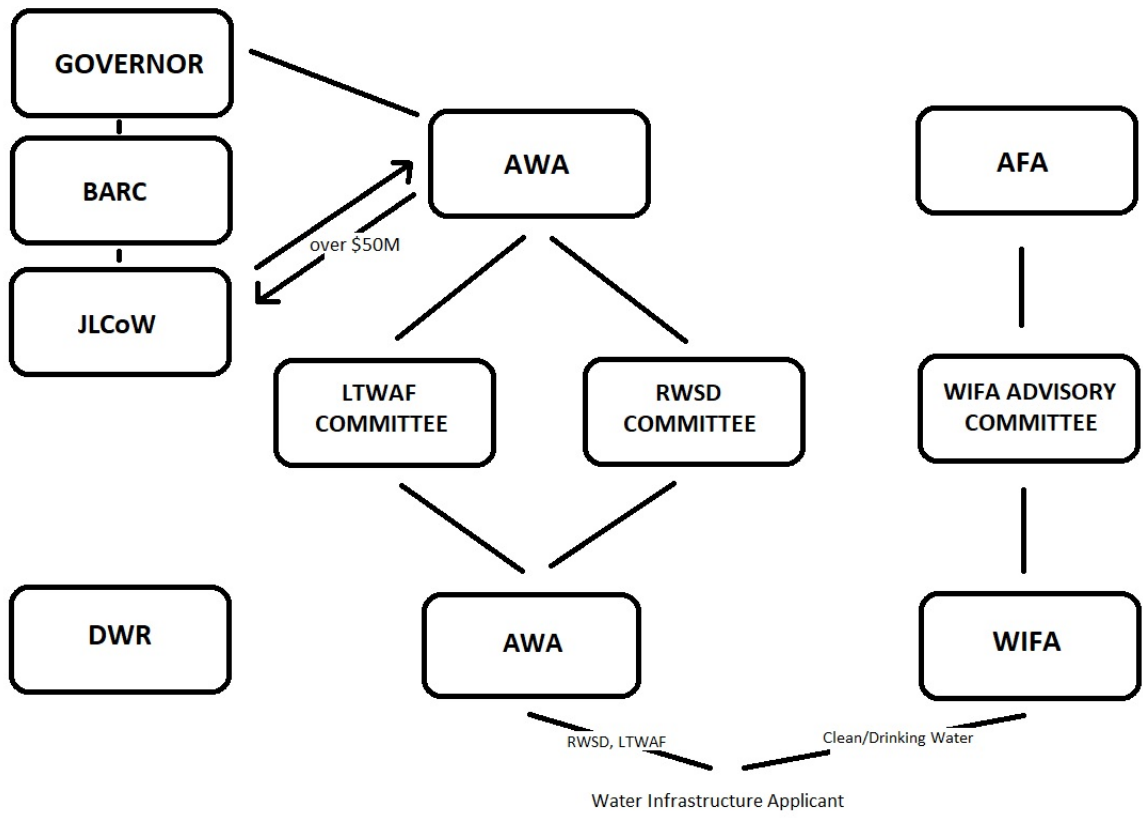
AWA

1. Use money from LTWAF to investigate feasibility of entering into agreements (AFA)
2. Acquire, sell, lease, exchange or otherwise dispose of real and personal property (AFA)
3. Issue bonds (WIFA)
4. Assess fees to administer financial assistance origination fees and administrative fees (WIFA)
5. Negotiate and enter into intergovernmental agreements with private and public entities within and outside of this state, including the united states and other nations (AFA)
6. Employ engineers, attorneys, accountants, financial analysts and other employees necessary to perform duties (WIFA and AFA)
7. Sue and be sued (AFA)
8. Apply for and accept grants, gifts or donations of money from any source (WIFA)
9. **Exercise eminent domain to acquire property, rights, rights of way or other rights in property**
10. **Plan, construct, acquire, own, improve and equip water-related facilities in this state with any project to import water (AFA?)**
11. **Take, hold and enforce interest in water-related facilities inside and outside of this state if securitization necessary to protect state's interests (AFA?)**
12. **Negotiate and execute agreements to acquire, sell, lease, exchange, hold, sever or transfer imported water rights**
13. **Enter into and carry out contracts or subcontracts with water users/providers for delivery of imported water**
14. **Store imported water and acquire, hold, assign or otherwise dispose of credits registered to storage accounts**
15. Conduct investigations, **including performing environmental reviews (AFA)**
16. **Assess fees and charges in connection with design, construction, acquisition, improvement, equipping and ownership of water-related facilities**
17. **Negotiate and enter into agreements to use existing water-related facilities to facilitate water supply development projects**

Attachment 2. Governance Flow Charts

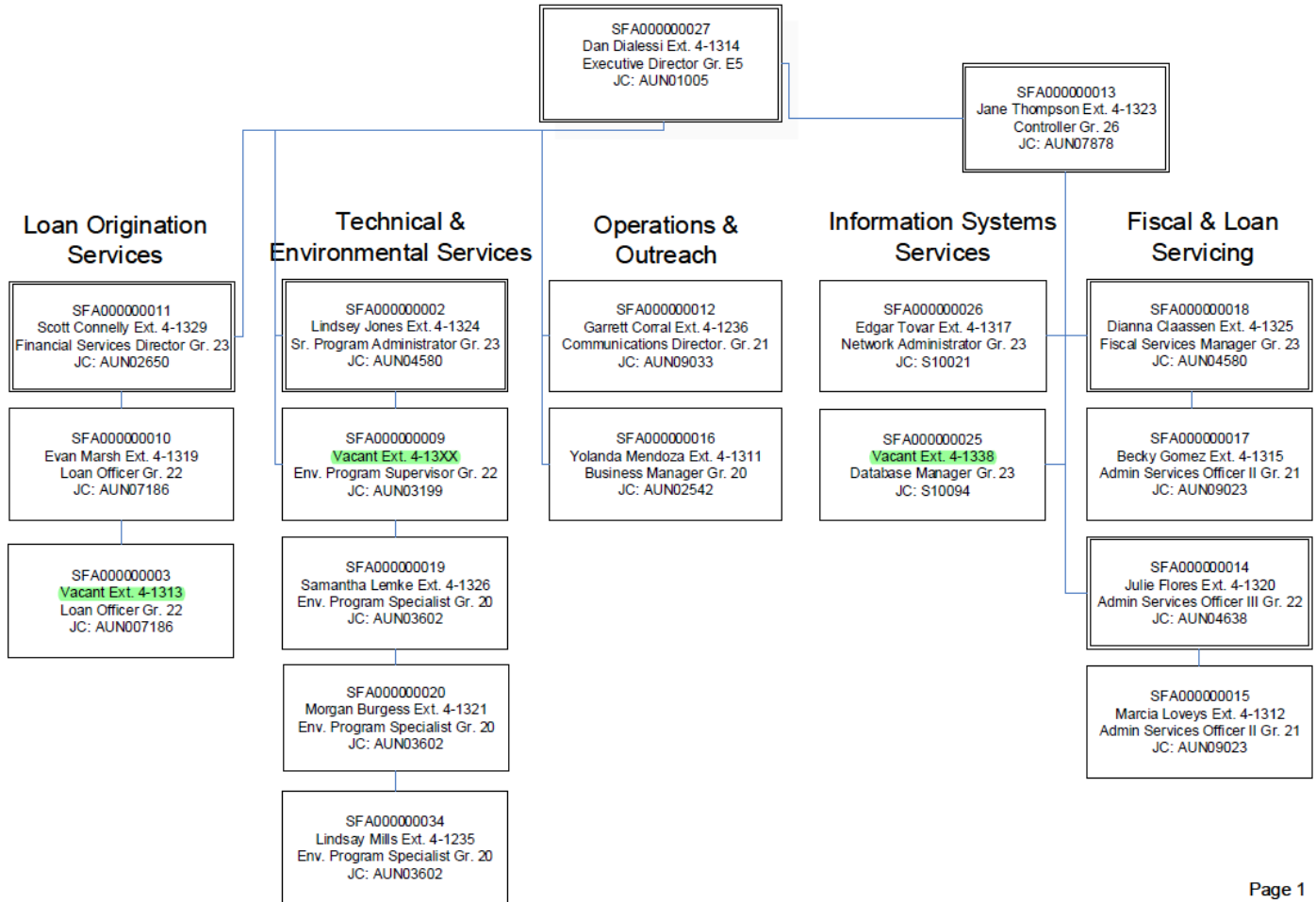


ARIZONA WATER AUTHORITY



Attachment 3. WIFA Organizational Chart

WATER INFRASTRUCTURE FINANCE AUTHORITY



Attachment 4. WIFA Portfolio

Repayme (Multipl												
Column												
Clean Water				Drinking Water					Total Count of Fund	Total Sum of Principal Outstanding	Total Sum of Remaining Commitment	Total Sum of Max Loan
Row Label	Count of Fund	Sum of Principal Outstanding	Sum of Remaining Commitment	Sum of Max Loan	Count of Fund	Sum of Principal Outstanding	Sum of Remaining Commitment	Sum of Max Loan				
2000					1	\$138,354	\$0.00	\$138,354	1	\$138,354	\$0	\$138,354
2001					1	\$649,500	\$0.00	\$649,500	1	\$649,500	\$0	\$649,500
2002					2	\$540,730	\$0.00	\$540,730	2	\$540,730	\$0	\$540,730
2003	2	\$951,289	\$0	\$951,289	1	\$582,343	\$0.00	\$582,343	3	\$1,533,632	\$0	\$1,533,632
2004	5	\$1,188,517	\$0	\$1,188,517	5	\$1,054,826	\$0.00	\$1,054,826	10	\$2,243,343	\$0	\$2,243,343
2005	3	\$3,593,998	\$0	\$3,593,998	2	\$2,154,402	\$0.00	\$2,154,402	5	\$5,748,400	\$0	\$5,748,400
2006	3	\$8,136,017	\$0	\$8,136,017	5	\$4,385,018	\$0.00	\$4,385,018	8	\$12,521,034	\$0	\$12,521,034
2007	2	\$2,048,006	\$0	\$2,048,006	4	\$6,725,060	\$0.00	\$6,725,060	6	\$8,773,067	\$0	\$8,773,067
2008	5	\$9,810,458	\$0	\$9,810,458	12	\$44,490,308	\$0.00	\$44,490,308	17	\$54,300,767	\$0	\$54,300,767
2009	8	\$48,616,683	\$0	\$48,616,683	7	\$5,280,321	\$0.00	\$5,280,321	15	\$53,897,005	\$0	\$53,897,005
2010	16	\$28,796,913	\$0	\$28,796,913	36	\$27,141,288	\$0.00	\$27,141,288	52	\$55,938,201	\$0	\$55,938,201
2011	4	\$35,081,016	\$0	\$35,081,016	9	\$7,310,057	\$0.00	\$7,310,057	13	\$42,391,073	\$0	\$42,391,073
2012	2	\$2,456,428	\$0	\$2,456,428	9	\$14,918,985	\$0.00	\$14,918,985	11	\$17,375,413	\$0	\$17,375,413
2013	4	\$7,895,806	\$0	\$7,895,806	13	\$30,365,201	\$0.00	\$30,365,201	17	\$38,261,007	\$0	\$38,261,007
2014	4	\$4,282,963	\$77,129	\$4,360,092	9	\$23,436,432	\$0.00	\$23,436,432	13	\$27,719,395	\$77,129	\$27,796,524
2015	2	\$2,388,856	\$0	\$2,388,856	7	\$21,484,344	\$477,627.48	\$21,961,971	9	\$23,873,200	\$477,627	\$24,350,827
2016	3	\$49,224,700	\$0	\$49,224,700	9	\$35,749,305	\$1,940,000.00	\$37,689,305	12	\$84,974,006	\$1,940,000	\$86,914,006
2017	2	\$4,375,150	\$2,998	\$4,378,148	4	\$41,105,740	\$10,212,448.28	\$51,318,188	6	\$45,480,890	\$10,215,446	\$55,696,336
2018	3	\$17,270,242	\$6,657,041	\$23,927,283	9	\$8,173,650	\$383,153.90	\$8,556,804	12	\$25,443,892	\$7,040,195	\$32,484,087
2019	4	\$2,777,340	\$2,478,184	\$5,141,646	7	\$13,948,004	\$105,000.00	\$13,957,346	11	\$16,725,345	\$2,583,184	\$19,098,992
2020	4	\$14,281,557	\$3,928,084	\$18,209,641	8	\$149,792,085	\$37,626,358.58	\$187,295,906	12	\$164,073,642	\$41,554,442	\$205,505,547
2021	11	\$1,250,650	\$22,662,243	\$19,167,988	26	\$25,679,270	\$40,265,515.57	\$61,068,547	37	\$26,929,920	\$62,927,758	\$80,236,536
2022	6	\$1,014,917	\$66,154,370	\$64,680,522	16	\$8,251,253	\$76,353,081.45	\$80,493,457	22	\$9,266,170	\$142,507,452	\$145,173,979
Grand Tot	93	\$245,441,506	\$101,960,049	\$340,054,007	202	\$473,356,479	\$167,363,185	\$631,514,352	295	\$718,797,985	\$269,323,234	\$971,568,359

Attachment 5. Infrastructure Investment and Jobs Act Funding



WIFA Base and IJA Funding *Estimates*

As of: 4/14/2022

FY	Fund	Purpose	Allocation	Forgivable Percentage	Forgivable	Required State Match
2022	DW	Base	\$ 12,859,600.00	30%	\$ 3,857,880.00	\$ 2,571,920.00
2022	DW	Supplemental	\$ 32,359,000.00	49%	\$ 15,855,910.00	\$ 3,235,900.00
2022	DW	Emerging Contaminants	\$ 13,587,000.00	100%	\$ 13,587,000.00	\$ -
2022	DW	Lead Service Lines	\$ 50,986,000.00	49%	\$ 24,983,140.00	\$ -
2022	CW	Base	\$ 7,913,200.00	40%	\$ 3,165,280.00	\$ 1,582,640.00
2022	CW	Supplemental	\$ 12,021,000.00	49%	\$ 5,890,290.00	\$ 1,202,100.00
2022	CW	Emerging Contaminants	\$ 632,000.00	100%	\$ 632,000.00	\$ -
2023	DW	Base	\$ 12,859,600.00	30%	\$ 3,857,880.00	\$ 2,571,920.00
2023	DW	Supplemental	\$ 37,384,217.67	49%	\$ 18,318,266.66	\$ 3,738,421.77
2023	DW	Emerging Contaminants	\$ 13,587,000.00	100%	\$ 13,587,000.00	\$ -
2023	DW	Lead Service Lines	\$ 50,986,000.00	49%	\$ 24,983,140.00	\$ -
2023	CW	Base	\$ 7,913,200.00	40%	\$ 3,165,280.00	\$ 1,582,640.00
2023	CW	Supplemental	\$ 14,031,671.92	49%	\$ 6,875,519.24	\$ 1,403,167.19
2023	CW	Emerging Contaminants	\$ 1,431,000.00	100%	\$ 1,431,000.00	\$ -
2024	DW	Base	\$ 12,859,600.00	30%	\$ 3,857,880.00	\$ 2,571,920.00
2024	DW	Supplemental	\$ 40,796,673.50	49%	\$ 19,990,370.02	\$ 8,159,334.70
2024	DW	Emerging Contaminants	\$ 13,587,000.00	100%	\$ 13,587,000.00	\$ -
2024	DW	Lead Service Lines	\$ 50,986,000.00	49%	\$ 24,983,140.00	\$ -
2024	CW	Base	\$ 7,913,200.00	40%	\$ 3,165,280.00	\$ 1,582,640.00
2024	CW	Supplemental	\$ 15,312,492.11	49%	\$ 7,503,121.14	\$ 3,062,498.42
2024	CW	Emerging Contaminants	\$ 1,431,000.00	100%	\$ 1,431,000.00	\$ -
2025	DW	Base	\$ 12,859,600.00	30%	\$ 3,857,880.00	\$ 2,571,920.00
2025	DW	Supplemental	\$ 44,192,151.95	49%	\$ 21,654,154.45	\$ 8,838,430.39
2025	DW	Emerging Contaminants	\$ 13,587,000.00	100%	\$ 13,587,000.00	\$ -
2025	DW	Lead Service Lines	\$ 50,986,000.00	49%	\$ 24,983,140.00	\$ -
2025	CW	Base	\$ 7,913,200.00	40%	\$ 3,165,280.00	\$ 1,582,640.00
2025	CW	Supplemental	\$ 16,586,940.06	49%	\$ 8,127,600.63	\$ 3,317,388.01
2025	CW	Emerging Contaminants	\$ 1,431,000.00	100%	\$ 1,431,000.00	\$ -
2026	DW	Base	\$ 12,859,600.00	30%	\$ 3,857,880.00	\$ 2,571,920.00
2026	DW	Supplemental	\$ 44,192,151.95	49%	\$ 21,654,154.45	\$ 8,838,430.39
2026	DW	Emerging Contaminants	\$ 13,587,000.00	100%	\$ 13,587,000.00	\$ -
2026	DW	Lead Service Lines	\$ 50,986,000.00	49%	\$ 24,983,140.00	\$ -
2026	CW	Base	\$ 7,913,200.00	40%	\$ 3,165,280.00	\$ 1,582,640.00
2026	CW	Supplemental	\$ 16,586,940.06	49%	\$ 8,127,600.63	\$ 3,317,388.01
2026	CW	Emerging Contaminants	\$ 1,431,000.00	100%	\$ 1,431,000.00	\$ -

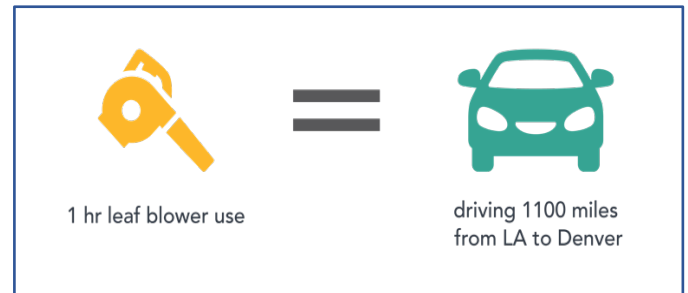
Conversion to Battery-Powered Blowers for Landscape Maintenance

Background

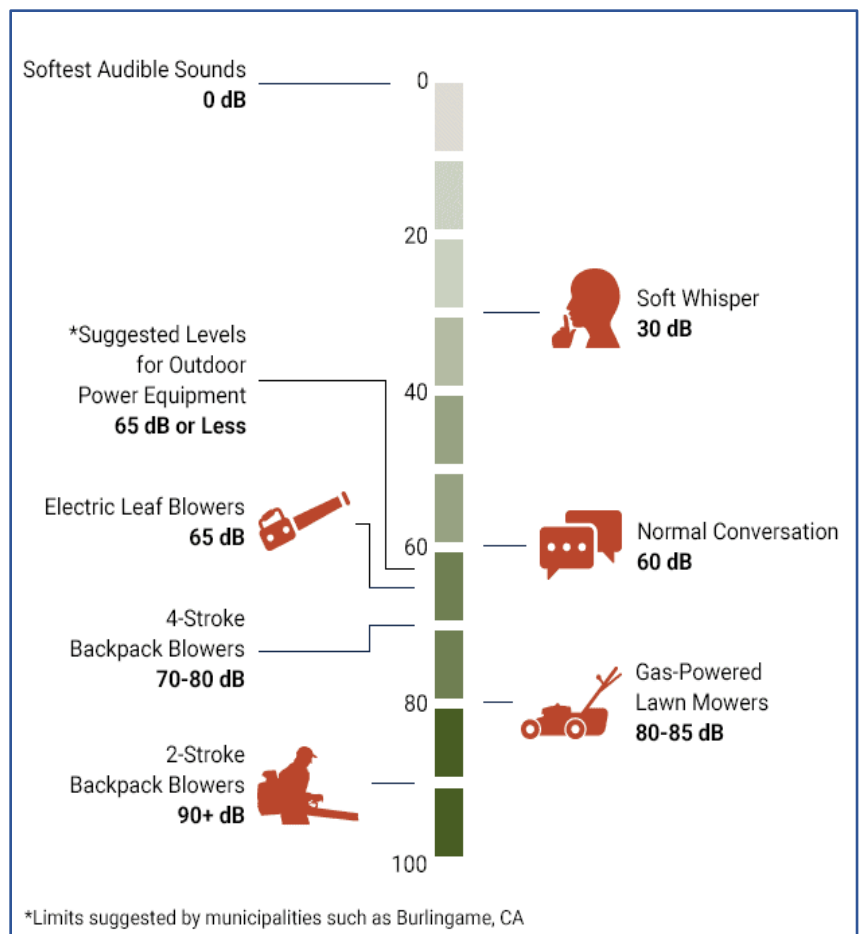
As the City continues to look for ways to convert from fossil fuels to cleaner energy, staff and City Council have turned attention to landscaping and outdoor power equipment. The benefits of battery-powered equipment are well known including reduced greenhouse gas emissions, reduced noise pollution, and easier equipment maintenance. In the City, three operational areas are responsible for most of the current use of outdoor power equipment:

- The Parks Maintenance team (Community Services Department) completes a variety of landscaping services in City parks and municipal facilities using internal and contract staff, equipment, and other resources.
- The Right-of-Way (ROW) Landscape Maintenance team (Engineering and Transportation Department) provides landscaping services in the ROW and at some municipal facilities through a third-party contract.
- The Transit Pathway Maintenance team (Engineering and Transportation Department) provides landscape services along transit pathways through a third-party contract.

In this follow-up update, staff has highlighted info regarding the various approaches for switching from gas-powered leaf blowers to battery-powered ones, as well as other landscape equipment.



Greenhouse Gas Emissions Comparison

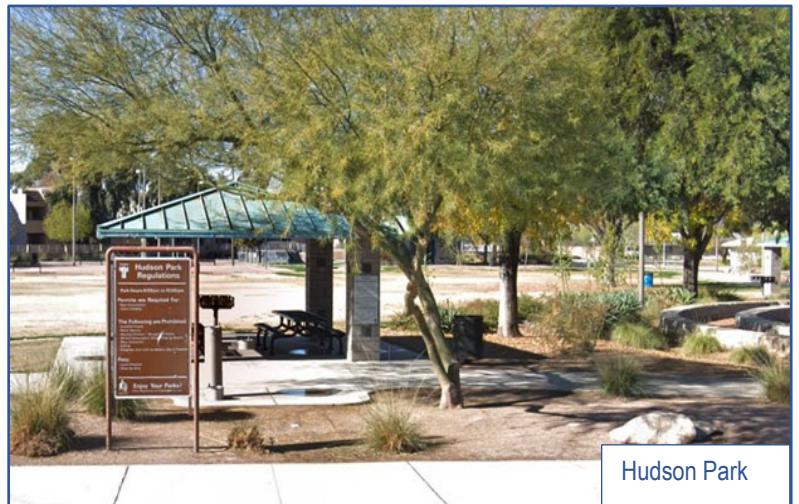


Approximate Noise Levels Created by Typical Landscape Equipment

Parks Maintenance Section

The Parks Maintenance team is responsible for maintaining over 1,500 acres of park, open space, and facility landscaping throughout the City, utilizing a mix of gas- and battery-powered landscape equipment. In addition to the battery-powered backpack/hand-held blowers and other small landscape equipment that have been added to staff toolboxes in the past couple of years, staff does still utilize gas-powered hedge trimmers and gas-powered backpack and hand-held leaf blowers. When Parks staff initially piloted backpack and hand-held battery-powered blowers, the equipment was found to be heavy, lacked adequate power, and had short battery lives. In the past couple of years, staff has noted a significant improvement of battery powered backpack blowers as they tested Husqvarna backpack battery-powered units. These units were a suitable, commercial-quality blower, and comparable in weight and power to gas-powered models. While staff was optimistic about the potential to operationalize the equipment, some challenges still exist, including:

- **Lack of remote charging capability.** The equipment has limited use for field teams that aren't near a building or facility throughout the day.
- **Purchase cost.** While there are on-going cost savings with battery-powered units, initial purchase price is 2.5 times higher than gas-powered units. In addition, staff who work in remote areas would require additional batteries.



A supplemental budgetary request has been submitted as part of the FY22-23 process to fully convert to battery-powered backpack and hand-held blowers for a one-time cost of \$120,372 and a recurring amount of \$876. Additional research is being conducted to address a conversion of trimmers and other small gas-powered landscape equipment.

ROW Maintenance Section

The ROW Maintenance group is responsible for approximately 7.5 million square feet of landscaping, citywide. Based on the City's current contract with Yellowstone Landscape, switching hedge trimmers and leaf blowers from gas powered, 2-cycle models, to battery powered would increase the contractual expense by approximately 22%, one time expense.

The contracted team currently uses two gas-powered hedge trimmers and two gas-powered leaf blowers, for a total of four pieces of gas-powered equipment. Staff is exploring a contract modification that would require the use of battery-powered trimmers and blowers. Once the contract is modified, the contractor will require the use of five pieces, each, of battery-powered equipment (i.e., five hedgers and five blowers) in place of the two, each, gas-powered pieces.

To provide maintenance at Service Level 2 (twice per month), staff estimates the annual contract costs at approximately \$1,300,000. Converting to battery-powered equipment is estimated to increase the contract costs by approximately \$286,000, one time expense, for a total estimated cost of \$1,586,000 in the first year. **A supplemental budgetary request is being proposed to be submitted as part of the FY23-24 process to fully convert to battery-powered backpack and hand-held blowers for a one-time cost of \$286,000**

Transit Pathway Maintenance Section

The Transit Pathway maintenance team is responsible for approximately 1.4 million square feet of landscaping on multi-use pathways throughout Tempe. Based on the City's current contract with Artistic Land Management, switching hedge trimmers and leaf blowers from gas powered, two-cycle models, to battery powered would increase the contractual expense by about 2%, annually.

The contracted team currently uses two gas-powered hedge trimmers and two gas-powered leaf blowers, for a total of four pieces of gas-powered equipment. Should the City make the decision to modify this contract and require the use of battery-powered trimmers and blowers; the contractor would require the use of five pieces, each, of battery powered equipment (i.e., five hedgers and five blowers) in place of the two, each, gas-powered pieces.

An initial, one-time cost estimate of \$4,000 was received for the purchase of new equipment. Should the City move forward with battery-powered equipment to be used for the Tempe contract; there may be a recurring contract fee for equipment maintenance in order to meet City requirements. The current annual cost is \$180,000, and includes landscape maintenance for the East Valley Bus Operations & Maintenance (EVBOM) facility, the Tempe Transportation Center (TTC), the Arizona State University Bus Station, Tempe's multi-use paths, and METRO Light Rail.



Grand Canal Multi-Use Path

*Seth Cleveland, (480) 350-8295, seth_cleveland@tempe.gov
Craig Hayton, (480) 350-5234, craig_hayton@tempe.gov
Shawn Thomson, (480) 350-8531, shawn_thomson@tempe.gov*

MEMORANDUM

TO: Mayor and Council
THROUGH: Keith Burke, Community Services Director, x5819
Shawn Wagner, Deputy Community Services Director, x5299
FROM: Evelyn McNeill, Community Services Manager, x5738
DATE: May 20, 2022
SUBJECT: Update on the Status of Kiwanis Pool Waterslide and Tile CIP Project



PURPOSE:

Update Mayor and Council on the status of Kiwanis Wave Pool Slide and Tile CIP Project.

CITY COUNCIL STRATEGIC PRIORITY:



3.16: Achieve ratings of “Very Satisfied” or “Satisfied” with the quality of City Recreation, Arts, and Cultural Centers greater than or equal to the top 10% of the national benchmark cities as measured in the Community Survey.

BACKGROUND INFORMATION:

This project addresses current infrastructure needs of the indoor pool at Kiwanis Recreation Center and includes repair and replacement of pool tiles that were missing or showing signs of chipping, wear, and other damages, as well as complete replacement of the existing waterslide.

Pool Tile Completion

- Over the past four months, diligent work occurred to address the refreshment of tiles in both the wave pool, and waterslide catch pool, along with area tile replacement of the pool deck surface area. Completion of this project occurred on May 11, 2022. The tile repair and replacement addresses safety concerns of the chipped tiles and enhances the visual aesthetics of the pool surface.

Waterslide Update

- Due to ongoing manufacturing delays, supply shortages, and unforeseen delays during structural removal, the waterslide project is behind schedule. As a result, the waterslide amenity will not open during this summer’s wave pool season. The waterslide replacement is planned to be completed in fall. The completion timeframe will provide patrons the opportunity to enjoy the new waterslide during our annual Winter Waves. Construction work, and additional closures are currently paused to allow the summer wave season to fully recognize the operational time frame. We look forward to the completion of the waterslide and will continue to provide updates as additional progress occurs.

The City of Tempe Aquatics Team remains committed to providing a safe swim experience to the community through increased staff training and certification through Ellis & Associates, and ongoing water safety instruction. As we move into our summer swim season, we encourage and remind everyone to watch their children around the water, register for swim lesson instruction, and always wear protective gear and skin protection when outdoors.

We appreciate the support of Mayor, Council, and other community members for Tempe aquatic facilities and programs. It is through this support that we provide safe and essential services to the community. We look forward to seeing you this summer.

If you have any questions, please contact Evelyn McNeill at x5738.



Memorandum

Engineering and Transportation Department

DATE: May 27, 2022

TO: Mayor and City Council

FROM: Jennifer Svetichan, Engineering Admin Supervisor (480-350-8150)

Through: Marilyn DeRosa, Engineering and Transportation Director (480-350-8896)
Julian Dresang, Deputy Engineering and Transportation Director/City Engineer (480-350-8025)
Shelly Seyler, Deputy Engineering and Transportation Director/Transportation (480-350-8854)

SUBJECT: Engineering/Transportation/Telecom Annual Fee Adjustment

In October 2005, September 2006 and December 2009, Resolutions No. R2005.45, No. R2006.77 and No. R2009.41 were approved, authorizing an automatic annual fees adjustment at the beginning of every fiscal year affecting the Appendix Fees listed below as attachments. By the Resolutions, each such adjustment is based on a published Consumer Price Index provided through the United States Department of Labor, Bureau of Labor Statistics.

This memo serves as our official annual notification that the annual adjustment for the 2022-23 fiscal year has been set at **7.1%**, based on the annual Bureau of Labor Statistics CPI–All Urban Consumers/West region (<http://data.bls.gov>). Adjusted Appendix Fees will become effective July 1, 2022.

For additional detail, the attached fee schedule identifies all fees for individual service requests and their respective changes. Please call me or Marilyn DeRosa with any questions or concerns.

Attachment:

- Special Permits for Overweight/Overheight Vehicles
- Special Permit for Hauling Waste Materials
- Engineering Fees
- Telecommunications Service Providers

MOTOR VEHICLES AND TRAFFIC

Special Permits for Overweight/Overheight Vehicles^{1[4]}

19-45	Application fee for excess size	\$ <u>18,9820.32</u>
	Plus, each 30-day permit issued for excess size	\$ <u>37,8240.51</u>
	Each permit issued for excess weight	\$ <u>31,6233.86</u>
	Plus, each 30-day permit issued for excess weight	\$ <u>63,0667.53</u>

Special Permit for Hauling Waste Material^{2[5]}

19-50	Special permit for hauling construction waste fill or waste excavation material:	
	Under 5,000 cubic yards or less than ten (10) days in duration	no charge
	Over ten (10) days in duration and less than 5,000 cubic yards	\$ <u>671,79719.49</u>
	5,000 to 10,000 cubic yards	\$ <u>671,79719.49</u>
	Greater than 10,000 cubic yards	\$ <u>2,687,122,877.90</u>

(Res. No. 2005.58, 10-20-05; Res. No. 2008.31, 5-1-08)

STREETS AND SIDEWALKS^{3[8]}

29-19 Engineering Fees

All engineering related activities within City owned property, the public right-of-way and public utility easements shall be permitted in accordance with Section 29-19 of the City Code, the City of Tempe Public Works Department Engineering Design Criteria Manual and the City of Tempe Utility Manual. All construction within the right-of-way shall conform to the latest editions of the Maricopa Association of Governments Uniformed Standard Specifications and Details (MAG Specifications and Details), the City of Tempe Supplement to the MAG Specifications and Details, and the Tempe Traffic Barricade Manual.

An annual fee adjustment will be applied to all fees listed. Such fees will be adjusted each July 1, based on the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index-All Urban Consumers, West Region for All Items (CPI).

Engineering Plan Check Fees

Time limit of permit application: An application for a permit for any proposed work shall be valid for a period of one year from date of filing.

Exception

Prior to the date of expiration of any application that has been approved for the issuance of permits, but for which all of the permits have not been issued, the applicant shall pay 25% of the original plan review fees, within thirty (30) days of the plan review expiration date, to extend

the plan review approval for an additional six (6) months. If the 25% plan review renewal fee is not paid within thirty (30) days of expiration, and the permits are not issued on or before the six (6) month extension date, the plan review will expire and all of the permits will be voided.

1. Review Public Utility Plan

- a. First and second plan review, inclusive..... \$ ~~326.96~~350.17/sheet/discipline
 - prorated fee for residential PUE/permit submittal \$ ~~173.60~~185.92
- b. Third and subsequent reviews and revisions \$ ~~194.95~~208.79/sheet/discipline
- c. Expedited plan review (less than 10 days) \$ ~~653.74~~700.15/sheet/discipline
 - prorated fee for residential PUE/permit submittal \$ ~~347.19~~371.84
- d. Review of plans and inspection of service drops \$ ~~65.30~~69.94/service drop
- e. Expedited plan review/inspection of service drops (less than 10 days)
 \$ ~~130.43~~139.69/service drop
- f. Cabinet greater than 30 inches \$ ~~208.69~~223.51/cabinet/location
- g. Application fee for collocation of small wireless facilities (SWFs) in the right-of-way.... \$100.00 each for up to five (5) SWFs and \$50.00 for each additional SWF addressed in the application.
- h. Application fee for the installation of new, replacement or modified utility poles associated with the collocation of SWFs in the right-of-way.... \$750.00 per application
- i. Application fee for the modification of existing or the installation of new monopoles or utility poles or for the collocation of wireless facilities in the row \$1,000.00 per application

2. Capital Improvement Program Plans

The Capital Improvement Program projects are subject to a two percent (2%) fee based on total project costs for engineering plan check review and engineering permits.

- a. Two-person survey crew \$ ~~163.81~~175.44/hr
- b. Three-person survey crew \$ ~~245.60~~263.03/hr

Engineering Permit Inspection and Testing

All engineering permit fees for detached, single family dwellings are included in the flat fee charge for plan review.

Permits are valid for one year from date of issuance. Submittal of as-builts and an approved final inspection is required within one year from the date of permit issuance or the permits will expire.

Exception:

If the portion of the project requiring engineering permits has not been completed within one year, the applicant shall pay 25% of the permit fees to extend the permits for an additional six (6) months. If the portion of the project requiring engineering permits has not been completed prior to the initial six (6) month extension granted, the applicant shall pay an additional 100% of the original permit fees for each additional six (6) month extension required to complete this project.

If the project requiring engineering permits has not been completed and the permits have expired, in order to resume/continue work, the applicant shall pay 100% of the original permit

fees.

Testing and inspection fees shall be paid to the City at the same time a permit is issued for the work. All tests shall meet current City of Tempe standard specifications and drawings.

A base fee of \$ ~~192.66~~209.44 shall be paid for any materials testing incurred by a project (with the exception of single, family dwellings). This base fee is in addition to the line items needed as part of the permit process.

1. Street Improvements Inspection and Testing

- a. Curb and gutter\$ ~~1.28~~1.37/lf
- b. Sidewalk/bike path \$ ~~4.444~~4.75/sq ft
- c. Sidewalk ramp \$ ~~155.36~~166.39 each
- d. Valley gutter/aprons \$ ~~198.29~~212.37 each
- e. Driveway/alley entrances \$ ~~317.95~~340.53 each

2. Public Utilities Inspection and Testing

All public utilities shall secure a permit for their improvements constructed within the public right-of-way in accordance with Section 29-19 of the City Code and the City of Tempe Utility Manual. Unless otherwise prohibited by law or franchise agreement, the public utility shall deposit non-refundable fees for plan review, clerical services, and inspection. Methods “A” and “B” for installing conduit by horizontal directional drilling is described in the City of Tempe Utility Manual.

- a. Trenching (no pavement cut)
 - (i) 300 sq ft or less.....\$ ~~387.65~~415.17/permit
 - (ii) Additional square feet exceeding 300 sq ft \$ ~~1.70~~1.82/sq ft
- b. Trenching (pavement cuts/concrete work)
 - (i) 300 sq ft or less.....\$ ~~582.35~~623.69/permit
 - (ii) Additional square feet exceeding 300 sq ft \$ ~~3.53~~3.78/sq ft
- c. Wireless antenna \$ ~~111.40~~119.31/location
- d. Manhole/vaults/pedestals/access points \$ ~~172.02~~184.23 each
- e. Semi-annual maintenance permit \$ ~~2,606.31~~2,791.35
- f. Semi-annual emergency permit..... \$ ~~2,606.31~~2,791.35
- g. Semi-annual energization permit \$ ~~2,606.31~~2,791.35
- h. Semi-annual pole inspection/replacement permit \$ ~~2,606.31~~2,791.35
- i. Semi-annual special use (Trim gas pipeline inspection) \$ ~~2,606.31~~2,791.35
- j. Minimum utility inspection/testing fee \$ ~~208.69~~223.51
- k. Pothole (minimum of 5) \$ ~~41.90~~44.88
- l. Horizontal directional drilling pit..... \$ ~~76.74~~82.18
- m. Horizontal directional drilling (Method “A”)
 - (i) 300 lineal feet or less.....\$ ~~387.65~~415.17/permit
 - (ii) Additional lineal feet exceeding 300 lf\$ ~~1.70~~1.82/lf
- n. Horizontal directional drilling (Method “B”)
 - (i) 300 lineal feet or less.....\$ ~~582.35~~623.69/permit
 - (ii) Additional lineal feet exceeding 300 lf\$ ~~3.53~~3.78/lf
- o. Pavement resurfacing fee (refer to No. 8 under Engineering Inspection and Testing)

3. Pavement Resurfacing Fee Inspection and Testing

It is the intent of the City's pavement management program to avoid cutting of new street pavement or newly overlaid pavement. In the event that a street cut in new pavement cannot be avoided, a surcharge fee to cover damages and early deterioration will be assessed for new or resurfaced pavements less than seven years old.

- a. Surcharge for cutting new or resurfaced pavement less than 3 years old.
 - (i) Opening less than 9 square feet of trench \$ ~~1,390.66~~1,489.39
 - (ii) Trench over 9 square feet \$ ~~3,476.52~~3,723.35 for every 50 square feet of trench or fraction thereof
- b. Surcharge for cutting new or resurfaced pavement more than 3 years old but less than 7 years old.
 - (i) Opening less than 9 square feet of trench \$ ~~695.39~~744.76
 - (ii) Trench over 9 square feet \$ ~~1,738.35~~1,861.77 for every 50 square feet of trench or fraction thereof
- c. Seal coat \$ ~~1.46~~1.56/sq yd

4. Additional and Miscellaneous Fees Inspection and Testing

- a. Miscellaneous permits not covered above – special use permit \$ ~~208.69~~223.51 each
- b. Minimum testing and inspection \$ ~~208.69~~223.51 each
- c. Initial permit renewal as described above 25% of permit fee
- d. Second and additional permit renewal as described above100% of permit fee
- e. After hours inspection/testing (minimum of two hours). \$ ~~269.19~~288.30 per hour
- f. Investigation assessmentgreater of \$ ~~347.75~~372.44 or double the permit fee not to exceed \$ ~~3,476.52~~3,723.35
- g. Right of Way trenching permit..... \$ ~~1.70~~1.82/sq ft or \$ ~~387.65~~415.17min.
- h. Shoring permit for deep excavation \$ ~~201.64~~215.95
- i. Easement dedication preparation (except for detached, single family dwellings)\$ ~~188.93~~202.34
- j. Service line protection program (SLIPP)\$12.00/mo
- k. Service line protection program (SLIPP) – single lineservice \$7.00/mo
- l. Service line protection program (SLIPP) – enrollment fee \$12.00/one time

Encroachments, Abandonments, and Other Activities in the Public Right-Of-Way

The City may at its sole right and option, elect to sell or abandon right-of-way for a sum equal to the present fair market value.

Unless otherwise prohibited by law, the City may at its sole right and option choose to deny any request for abandonment, encroachment or other use of the public right-of-way. In addition, the City Engineer may cancel the encroachment permit at any time.

1. Abandonment Processing Fee

A property owner, developer, or agent requesting an abandonment of public right-of-way (street, alley, or public easement used for any purpose) shall submit a non-refundable processing fee to the City Engineer.

a. Public ROW abandonment processing fee.....\$
~~1,043.08~~1,117.14 each

2. Encroachments

a. Encroachment permits (non-commercial).....\$ ~~208.69~~223.51
each

b. Encroachment permits (commercial).....\$ ~~834.45~~893.69
ea/yr.
(includes environmental monitoring well leases)

3. Wireless Services Facilities (WSF) in the Right-of-Way

Category 1 Small wireless facility (SWF) means a wireless services facility that meets both of the following qualifications:

- A. All antennas are located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet in volume.
- B. All other wireless equipment associated with the SWF is cumulatively not more than twenty-eight (28) cubic feet in volume, or fifty (50) cubic feet in volume if the equipment was ground mounted before August 9, 2017.

Fees for Category 1 will not be adjusted yearly. Each SWF site will be assessed fees as set forth below:

- a. Right-of-way use fee \$50.00 Per SWF site per year
- b. Use fee for the collocation of an SWF on a city-owned pole in the right-of-way \$ 50.00 per pole per year

Category 2

Wireless Services Facilities (WSF) with antenna(s) exceeding six (6) cubic feet mounted on an existing vertical element or pole (at time of attachment) and any associated ground equipment. Each WSF site will have an antenna base fee plus a ground equipment fee (if applicable) for cubic feet of ground equipment as set for the below:

Antenna base fee \$ ~~3,525.73~~3,776.06/yr + ground equipment fee

a. Total is 1 cu. Ft. Up to 50 cu. Ft.Included

b. Total is 51 cu. Ft. Up to 200 cu. Ft. \$
~~7,051.46~~7,552.12/yr

c. Total is 201 cu. Ft. Up to 300 cu. Ft. \$
~~10,577.20~~11,328.18/yr

d. Total is 301 cu. Ft. Up to 401 cu. Ft. \$
~~14,102.93~~15,104.24/yr

e. Total is 401 cu. Ft. Or more \$
~~17,628.66~~18,880.30yr

Category 3

WSF with antenna(s) exceeding six (6) cubic feet mounted on a vertical element that is stealth or utilizes alternate concealment when existing vertical elements are not available, and any associated ground equipment. Each WSF site will have an antenna base fee plus a ground equipment fee (if applicable) for cubic feet of ground equipment as set forth below:

- Antenna base fee..... \$ ~~4,936.025,286.486,796.91~~/yr + ground equipment fee
- a. Total is 1 cu. Ft. Up to 50 cu. Ft.Included
- b. Total is 51 cu. Ft. Up to 200 cu. Ft. \$ ~~7,051.467,552.12~~/yr
- c. Total is 201 cu. Ft. Up to 300 cu. Ft. \$ ~~10,577.2011,328.18~~yr
- d. Total is 301 cu. Ft. Up to 401 cu. Ft. \$ ~~14,102.9315,104.24~~/yr
- e. Total is 401 cu. Ft. or more \$ ~~17,628.6618,880.30~~/yr

Category 4

WSF with antenna(s) on a new, (non-existing at the time of attachment) vertical element or pole that is neither stealth nor concealed in appearance and any associated ground equipment. Each WSF site will have an antenna base fee plus a ground equipment fee (if applicable) for cubic feet of ground equipment as set forth below:

- Antenna base fee \$ ~~6,346.326,796.91~~/yr + ground equipment fee
- a. Total is 1 cu. Ft. Up to 50 cu. Ft.Included
- b. Total is 51 cu. Ft. Up to 200 cu. Ft. \$ ~~7,051.467,552.12~~/yr
- c. Total is 201 cu. Ft. Up to 300 cu. Ft. \$ ~~10,577.2011,328.18~~yr
- d. Total is 301 cu. Ft. Up to 401 cu. Ft. \$ ~~14,102.9315,104.24~~/yr
- e. Total is 401 cu. Ft. or more \$ ~~17,628.6618,880.30~~/yr

- 4. Telecommunication right-of-way occupation lineal foot fee.....\$ ~~2,442.62~~
- 5. Right-of-way use agreement application fee.....\$ 4,000.00
- 6. Temp Line Penalty Fee, failure to timely apply for permit..... \$ ~~1,141.22~~/lf per week
- 7. Temp Line Penalty Fee, failure to timely remove line.....\$ ~~1,141.22~~/lf per week
- 8. Temp Line Discovery Fee.....\$ ~~1,141.22~~/lf
- 9. Shared active transportation vehicles (SATVS) in the right-of-way. Shared active transportation vehicle (SATV) systems in the right-of-way are required to obtain a right-

of-way use license. SATV operators shall pay an application, license issuance and monitoring, and data analysis and planning fee, relocation fee, and right-of-way use fee as set forth below:

- a. Annual application, license issuance and monitoring, and data analysis and planning fee.... \$ ~~8,230.50~~8,814.86
- b. Relocation fee.... \$ ~~104.34~~111.75 per SATV
- c. Right-of-way use fee.... \$ ~~1.11~~1.18 per day, per SATV

(Note: This schedule is not all inclusive and other fees may apply; these fees will be adjusted annually based upon the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index-All Urban Consumers, West Region)

Licenses for Special Use

Annual licenses shall be issued for encroachments of a more permanent nature, including but not limited to, buildings and underground parking facilities that impair the City's ability to use the right-of-way. The fees for these encroachments are based upon a graduated percentage depending on the type of encroachment. The fee is also determined by the appraised value of the property and the square footage of the encroachment. They are defined as follows:

- 1. Obstructions/Encroachments
 - a. At grade (at ground level) 7% of appraised market value
 - b. Below grade (below ground level) 7% of appraised market value
 - c. Above grade (above ground, sidewalk or street).... 4% of appraised market value
- 2. In lieu of the above fee structure, the Public Works Director is authorized to negotiate a single payment based on the present value income stream.

Sale of Engineering & GIS Records

The following schedule is established to set a standard cost for the selling of City Engineering and GIS mapping records:

- 1. Plots – sizes 8 ½” x 11” (letter) and 11” x 17” (tabloid)
 - a. Two (2) or less plots (non-commercial use) no charge
 - b. Three (3) or more plots (non-commercial use) \$ ~~1.52~~1.63 each
 - c. Any number of plots (commercial use) \$ ~~1.52~~1.63 each
 - d. As-built plan sheet..... \$ ~~1.52~~1.63 each
- 2. Plots – larger than 11” x 17”, up to 36” wide
 - a. City map of landbase, survey, water, sewer, etc. \$ ~~14.11~~15.11 each
 - b. Quarter section map of landbase, aerial, or utilities \$ ~~14.11~~15.11 each
 - c. Conversion of paper map to mylar \$ ~~5.29~~5.66/sq ft
 - d. As-built plan sheet \$ ~~14.11~~15.11 each
 - e. Custom plot, each \$ ~~14.11~~15.11 plus \$ ~~7.17~~7.68/lf or

fraction of paper over three (3) feet

3. Digital data
 - a. Quarter section in MicroStation DGN format
 - (i) Landbase.....\$ ~~417.31~~446.94 each
 - (ii) Single utility (sewer, water, drainage or improvements) \$ ~~139.19~~149.08 each
 - (iii) Landbase and all utilities\$ ~~764.89~~819.20 each
 - b. Quarter section aerial in Intergraph COT format\$ ~~41.90~~44.88 each
 - c. As-built plan sheet image in B&W TIFF format\$ ~~1.52~~1.63 each
 - d. Custom output in MicroStation DGN format
 - (i) Setup for location\$ ~~139.19~~149.08 per area, per occurrence plus \$ ~~7.17~~7.68 per vertex over eight (8) fence vertices
 - (ii) Landbase\$ ~~2.19~~2.34 per 10,000 square feet or fraction
 - (iii) Single utility\$ ~~0.91~~0.97 per 10,000 square feet or fraction
 - (iv) Landbase and all utilities.....\$ ~~3.89~~4.16 per 10,000 square feet or fraction
 - (v) Minimum purchase of custom output\$ ~~278.25~~298.01
 - e. Format translation of city-provided data files – prices in addition to source data files
 - (i) Setup for translation \$ ~~69.62~~74.56 per occurrence
 - (ii) MicroStation DGN file to AutoCAD DWG or DXF file.....\$ ~~27.97~~29.96 per DWG or DXF file
 - (iii) Intergraph COT file to TIFF or JPEG file . \$ ~~27.97~~29.96/TIFF or JPEG file
 - (iv) Minimum purchase of translation services \$ ~~139.19~~149.08
Translation services are performed using default settings of translation software.
 - f. Download information to a CD\$ ~~14.11~~15.11/each
 - g. Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works Construction\$ ~~195.55~~209.44
4. Conditions and Restrictions
 - a. All commercial orders and digital data orders will be required to document purpose of use.
 - b. Plotting orders in excess of \$25.00 and digital data orders will require full pre-payment before order is processed.
 - c. Digital data will be provided on city-issued media only.
 - d. All orders and payments must be done in-person only.

(Res. No. 92.33, 6-18-92; Res. No. 99.30, 11-18-99; Res. No. 2000.44, 6-15-00; Res. No. 2001.37, 7-19-01; Res. No. 2002.03, 1-17-02; Res. No. 2005.45, 10-20-05; Res. No. 2008.26, 5-1-08; Res. No. 2008.89, 11-6-08; Res. No. 2008.90, 1-8-09; Res. No. 2009.41, 12-10-09; Res. No. 2009.57, 6-11-09; Ord. No. 2010.02, 2-4-10; Res. No. 2010.48, 5-20-10; Res. No. 2011.51, 6-16-11; Res. No. 2011.75, 8-18-11)

TELECOMMUNICATIONS SERVICE PROVIDERS

31A-11 License or Franchise Application

1. All applications for new or renewal licenses, as defined by A.R.S. § 9-582(A)(2), shall be accompanied by a Four Thousand Dollar (\$4,000.00) non-refundable fee for the administrative costs of processing the application and license.
2. As authorized by A.R.S. §§ 9-583(C) and 9-582(A)(4) and Tempe City Code Sec. 31A-21, in addition to all other permit fees authorized by city ordinance or resolution, all interstate license holders shall pay to the City an annual fee of -Two

Dollars and Fifteen Cents (\$ 2.15) per lineal foot of right of way occupied. Such rate per linear foot shall be increased in any calendar year hereafter by the increase in the average consumer price index as published by the United States Department of Labor, Bureau of Labor Statistics. The City shall calculate the annual footage fee using as the number of linear feet, the total amount of linear feet installed less any footage removed or abandoned as provided in the license agreement.

3. The City may receive in-kind facilities from interstate license holders. Any in-kind facilities provided to the City by the license holder shall remain in the possession and ownership of the City after the term of the license expires. The value of the in-kind benefits shall be offset as required by A.R.S. § 9-582(D).
4. The fees referenced in Sections 1 and 2 above shall apply to all license applications submitted to the City after the effective date of this Resolution, and to all licenses granted by the City after the effective date of this Resolution.

-(Res. No. 2000.12, 02-24-00; Res. No. 2006.77, 9-21-06)