



## **PUBLIC WORKS DEPARTMENT**

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### **CITY COUNCIL STAFF REPORT**

Meeting: June 18, 2019

#### Subject

Adopt a Resolution authorizing the City Manager to vote “yes,” sign, and submit the Clean Water and Storm Protection fee ballots on behalf of the City for the parcels owned by the City that are subject to the fee.

#### Recommended Action

Adopt Resolution 19-XXX authorizing the City Manager to vote “Yes,” sign and submit the ballots on behalf of the City for the parcels owned by the City that are subject to the proposed 2019 Clean Water and Storm Protection fee.

#### Discussion

On May 7, 2019, City Council conducted a public hearing and received input and protests from property owners related to the potential Clean Water and Storm Protection Fee. Finding that a majority protest did not exist, Council conducted the first reading of Ordinance No. 19-2183: “An Ordinance of the City Council of the City of Cupertino Adding Chapter 3.38 of the Municipal Code to Establish the Clean Water and Storm Protection Fee,” an ordinance that is subject to property owner approval through a ballot proceeding. Ballots were mailed to property owners on May 20, 2019.

The City owns 42 parcels that are subject to the Stormwater Fee, which will fund needed maintenance and operations of the City’s Clean Water and Storm Protection system and efforts to ensure that storm runoff meets strict State and Federal clean water standards to protect our local creeks and San Francisco Bay.

The City supports the Clean Water and Storm Protection Fee Measure and wishes to cast an affirmative vote for each of the 42 parcels and authorize the City Manager to sign those ballots on behalf of the City Council. Votes must be received at City Hall no later than July 5, 2019 at 5 p.m. The City Clerk will tabulate the ballots July 8 – July 12, 2019 and results will be announced at the City Council meeting on July 16, 2019.

#### Sustainability Impact

There are no negative effects from this action. Proper funding of storm water pollution prevention programs and improving existing storm water infrastructure will improve the

water quality of storm runoff entering the Bay and reduce the likelihood of property loss due to flooding.

Fiscal Impact

If the proposed fee is approved, it will generate an estimated revenue of approximately \$1.1 million per year. If the proposed fee is not approved, the general fund will need to continue to provide a subsidy and, consequently, cause a reduction of the availability of funding for other important programs.

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Prepared by: Cheri Donnelly, Environmental Programs Manager

Reviewed by: Roger Lee, Acting Public Works Director

Approved for Submission by: Deborah Feng, City Manager

Attachments:

A – Draft Resolution