



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT DESK ITEM

Meeting: March 21, 2023

Agenda Item #5

Subject

Consider authorizing execution of a Maintenance Services Contract for City-owned orchards.

Recommended Action

1. Authorize the City Manager to execute the Maintenance Service Contract with Anderson Tree Care Specialists, Inc. to provide orchard maintenance services for three years, at an annual amount not-to-exceed \$65,746, and if performance is satisfactory, allow up to two additional years of service.
2. Adopt Resolution No. 23-xxx approving budget modification 2223-267 increasing appropriations in the Blackberry Farm Grounds Maintenance (100-84-811) and Neighborhood Parks Maintenance (100-84-813) budgets by \$8,362 and \$3,875 respectively.

Background:

Staff's responses to questions received from councilmember are shown in italics.

Q1: How many staff members the city previous use to maintain the orchards in Stocklmeir and Blackberry Farm? Will there be a staffing adjustment to remove the extra (and now vacant) staffing positions? (**Chao**)

The staff report states "Currently, only one of the orchards near Varian Park is maintained by a contractor and the remaining two orchards at Stocklmeir and Blackberry Farm are maintained by City employees. Due to the lack of staffing resources, the City is unable to provide maintenance to a level that is satisfactory to the City. Staff is proposing to use an experienced and qualified contractor to maintain all three orchards."

Staff response: There is one staff member dedicated to maintaining the orchards and surrounding grounds area at Blackberry Farm, Stocklmeir and McClellan Ranch. In addition to maintaining the orchards, staff maintains the pathways, irrigation outside of orchards, picnic rental areas,

bocce ball court, volleyball court and general cleanup of all three sites. One staff member is unable to keep up with the workload to perform all the tasks.

There will be no staffing adjustments as staff will be dedicated to performing other duties at all three sites if the orchard maintenance services are approved.

Q2: How does the city utilize these city-owned orchards? For educational purposes or any other purposes? How does the city utilize the fruits produced? (Chao)

Staff response: As a nod to Cupertino's agricultural history, Phase 1 of the Stevens Creek Corridor Park and Restoration Project included planting small plum and apricot orchards at Blackberry Farm and revitalizing the orange orchard at Stocklmeir. Annually, the City partners with Village Harvest, and picks and donates the Stocklmeir oranges to organizations such West Valley Community Services and Second Harvest Food Bank. Since 2013, more than 27,000 pounds of fruit has been donated. The orchards in the Stevens Creek Corridor are also highlighted during Join-A-Ranger history walks.

Q3: How many acres of land in each of the three parks with orchards? (Chao)

Staff response: Based on the GIS Property Information, it is as follows:

Varian Park – 280,439 SF or 6.44 acres with approximately 1.8 acres of orchard.

Blackberry Farm – 881,504 SF or 20.24 acres with approximately 0.15 acres of orchard.

Stocklmeir – 212,973 SF or 4.89 acres with approximately 1.3 acres of orchard.

Q4: How much water is estimated that these orchards consume? (Chao)

Staff response: At both Varian and Blackberry Farm sites, there is no dedicated meter to monitor the water usage at the orchards. There is only one water meter at each site which meters water use for all ground irrigation, orchard and buildings (only at BBF). At Stocklmeir, there is a separate water meter for the orchard. Staff will extract the information and confirm accuracy prior to transmitting to Council at a later date.

Q5: What will be the performance assessment criteria and process before the city decides whether to renew the contract? (Chao)

Staff response: Staff will assess the Contractor based on their performance of meeting and completing the maintenance schedule noted in Exhibit A of the Agreement.

Q6: Are these fruit trees native plants? What's their impact or contribution on biodiversity? What's their role in the city's Climate Action Plan 2.0? (Just curious if there is any) (Chao)

Staff response: The trees are not native plants. Having healthy fruit trees can benefit everyone. The

trees enable people to go outside and explore while providing additional wildlife habitat which help maintain biodiversity. The orchards are unique such that fruit tree blossoms are an important source of nectar for pollinating insects including bees and butterflies. The orchards also provide habitats for birds and insects.

Having healthy trees helps ensure the sustainability of the urban forest and it removes carbon from the atmosphere to help reduce emissions in the City. While the carbon sequestration value of the trees themselves is relatively low, the orchards and surrounding properties represent an important historical naturalized resource and opportunity for environmental education. Specifically, the CAP 2.0 recognizes that adapting to a changing climate will require new opportunities for outdoor recreation and education (Action CS 2.1). In community surveys, protecting outdoor recreation and ecological resources is an important concern of Cupertino residents (CAP 2.0 pg 26).

Q7. Regarding Q6, the staff report states "Maintenance of these orchards is supportive of Cupertino's Climate Action Plan 2.0, under the Working with Nature strategic pillar. Proper orchard tree maintenance ensures the trees stay healthy and provide the best fruit production annually." **(Chao)**

Could you elaborate a bit more on how maintaining these fruit trees fits in the Climate Action Plan 2.0?

Staff response: As previously stated, having healthy trees helps ensure the sustainability of the urban forest and it removes carbon from the atmosphere to help reduce emissions in the City. In addition, the trees create a more biodiverse landscape, improve air quality, reduce flood risks and provide recreational benefits for the community enjoyment.

While the carbon sequestration value of the trees themselves is relatively low, the orchards and surrounding properties represent an important historical naturalized resource and opportunity for environmental education. Specifically, the CAP 2.0 recognizes that adapting to a changing climate will require new opportunities for outdoor recreation and education (Action CS 2.1). In community surveys, protecting outdoor recreation and ecological resources is an important concern of Cupertino residents (CAP 2.0 pg 26).

Q8. Please will someone show which contract services amounts and contingencies have already been used for these orchard locations? BBF, for instance, has contract services and contingencies listed. It should be easy to determine that an increase in appropriation is necessary, but this request does not tie in with the approved Budget. **(Moore)**

Staff response: The BBF Ground Maintenance Budget does not include contract services for orchard maintenance. At this moment, the contingency amount in the budget is available.

The Neighborhood Parks Budget does include contract services for orchard maintenance to maintain the Varian Park orchard. At this moment, the contingency amount in the budget is available.

Have the past years' Special Projects for BBF all been spent? We received an update on their progress fairly recently.

Staff response: In regard to the FY2022-23 Special Project budget, a portion of the budget has been spent to complete the Blackberry Farm Pedestrian Bridge Decking Replacement Project. Out of the \$30,000 approved budget, the City used \$17,900.

Because the Budget allows for movement within the Department, I do not think an increase in appropriation is needed, especially when every part of the departmental budget has a contingency to draw on. When an item is this small, \$12,000, it becomes a political issue to spend the time sorting it out.

Lastly, with regards to the purchasing policy total of \$175,000 requiring a contract to come to Council, is that the contract total regardless of time frame or is that a one year total?

Staff response: Approval authority is based on contract total amount regardless of time frame.

I think the questions are really, what requirement made it so that this item has to come to Council? Was it the contract total? What document demonstrates that? If the appropriations for the entire department have changed, that should be reflected, if not, given the flexibility within each Budget unit for movement, it would need to be proven that BBF, for example, has used up all of their funding to ask for more, care of the trees is already in the Budget, and it is not broken out as a separate item. The department is free to backfill funding as needed from within that department. The Budget does not appear to be so tightly controlled that this agenda budget request is needed, in my view. I hope this makes sense.

See PDF 53 for BBF (for example):

<https://www.cupertino.org/home/showpublisheddocument/31749/637970448232770000>

Staff response: This item is being brought to Council because the contract total amount requires Council approval. The additional appropriation is being requested as the existing program budget for BBF Ground Maintenance does not include budget appropriations to maintain the orchards at Blackberry Farm and Stocklmeir.