

CC 7-20-2021

Special Meeting #1

Blackberry Farm Feasibility
Study Options

Presentation

Blackberry Farm Golf Course Feasibility Study Options

July 20, 2021



CUPERTINO

Recommended Action

1. Direct staff to update the study for minimal repairs to the golf course (Option 1) and to study returning the golf course to natural habitat (Option 3).
2. Approve Budget Modification Number 2122-148 to appropriate \$26,400 for these studies.





Agenda

- Background
- Feasibility Study Options
- Parks and Recreation System Master Plan
- Parks and Recreation Commission Recommendation
- Next Steps
- Sustainability Impact
- Fiscal Impact
- Recommended Action



Background

Golf Course Overview

- Constructed in 1962
- Purchased by the City in 1991
- Original irrigation system, 30 years past intended lifecycle
 - Inefficient use of maintenance resources
- Home to sensitive habitats and protected wildlife species
- Golf Course and Corridor are in a flood plain



Background

Council Actions

- 2014 Stevens Creek Corridor Master Plan (Includes Golf Course)
 - CIP project
- 2015 Golf Course Feasibility Study
 - Council provided input
- 2016 Golf Course Feasibility Study (preferred alternative)
 - Stevens Creek Corridor Master Plan put on hold
- FY 21-22 City Council Work Program
 - Item to identify options for short and long-term improvements to the golf course



Background

Community Feedback

- Stevens Creek Corridor Master Plan
- Council and Commission meetings
- Parks and Recreation System Master Plan



Feasibility Study Options

Option 1 - Minimal Repairs

- Update the feasibility study to perform minimal repairs for the golf course
 - Netting
 - Tee boxes
 - Greens and surrounding areas
 - Replace the ponds
 - Irrigation system



Feasibility Study Options

Option 2 - Preferred Alternative

- Update the feasibility study for renovating the golf course to a layout similar to the 2016 preferred alternative
 - Shorter par 3 layout
 - Short game practice area
 - Relocated clubhouse/restaurant
 - Space to accommodate meetings and events
 - Conversion of the Blesch home to parking and creek restoration
 - Foot bridge to the trail



Feasibility Study Options

Option 3 - Natural Habitat

- Conduct a feasibility study to return the golf course to natural habitat
 - Return the area to a natural riparian habitat
 - Connect to the Stevens Creek Trail



Parks and Recreation System Master Plan

- Strive to meet the priorities of the community
- Evaluate the benefit before doing a like-for-like replacement
- Consider new trends and needs, as well as the preferences of nearby neighbors
- Avoid replacing failing amenities without reviewing current needs
- Provide improved habitat value



Parks and Recreation Commission Recommendation

- Update the feasibility study for Option 1 - minimal repairs
- Continue with a feasibility study for Option 3 - natural habitat



Next Steps

- Conduct feasibility studies on the selected option(s)
- Conduct public outreach on the option(s)
- Present results to Commission and City Council
- Implement selected option as a future CIP



Sustainability Impact

All options would replace an old irrigation system that is inefficient and wastes water.

Fiscal Impact

Study Options	Study Cost	Est. Construction Cost	Est. Annual General Fund Subsidy
Option 1: Minimal Repairs	\$8,400 (update)	\$1,100,000 (from 2014)	\$282,000
Option 2: Preferred Alternative	\$30,000 (update)	\$2,500,000 (golf course) \$3,600,000 (clubhouse) (from 2016)	Potential subsidy required – TBD
Option 3: Natural Habitat	\$60,000 (new study)	\$1,500,000 (from 2014)	\$200,000



Fiscal Impact

- Estimated \$8,000 for outreach
- \$50,000 currently allocated
- Additional \$26,400 needed to pursue Options 1 (minimal repairs) and 3 (natural habitat)

Recommended Action

1. Direct staff to update the study for minimal repairs to the golf course (Option 1) and to study returning the golf course to natural habitat (Option 3).
2. Approve Budget Modification Number 2122-148 to appropriate \$26,400 for these studies.



CC 7-20-2021

#22

Weed Abatement Lien
Assessment

Presentation

Weed and Brush Abatement Lien Assessment and Collection of Fees

Cupertino City Council
July 20, 2021



CUPERTINO



Lien Assessment and Collection Process

- Includes both Weed and Brush Abatement Programs
- Property owners must clear brush, dry weeds and dead vegetation by April 30
- Only properties that have not met the requirements are assessed



Lien Assessment and Collection Process – Cont.

- Charges are for the cost of necessary abatement work performed by County contractor
- County also charges an administrative fee
- Confirmation of charges by Council is necessary
- Total charges are included on property owner tax statement as a special assessment

2021 County Fees

Initial inspection	\$84
First Administrative Fee (Failed Inspection / Work Order Processing)	\$466
Second Administrative Fee (Contractor Invoice Processing)	\$809

In addition, 100% of Contractor Invoice shall be transferred to parcel owner as the Contractor Fee



New City Process for Weed Abatement Program

- November 2, 2020, Council modification to Weed Abatement Program process
- City will pay initial inspection cost for properties that pass inspection by the April 30 deadline
- Costs are funded by the General Fund (ongoing \$8,886 budget appropriation)

County Assessment Report

Assessment Report and hearing notice mailed to owners on July 6	125 parcels	\$55,370
Passed Inspection Report - for payment by City	94 parcels	\$7,896
Revised Assessment Report (did not pass inspection) - for Council consideration on July 20	31 parcels	\$47,474



Recommended Action:

- Conduct a hearing to consider objections from any property owners listed on the Revised Assessment Report
- Adopt Resolution No. 21-068 approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement

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#23

Municipal Water System

Presentation

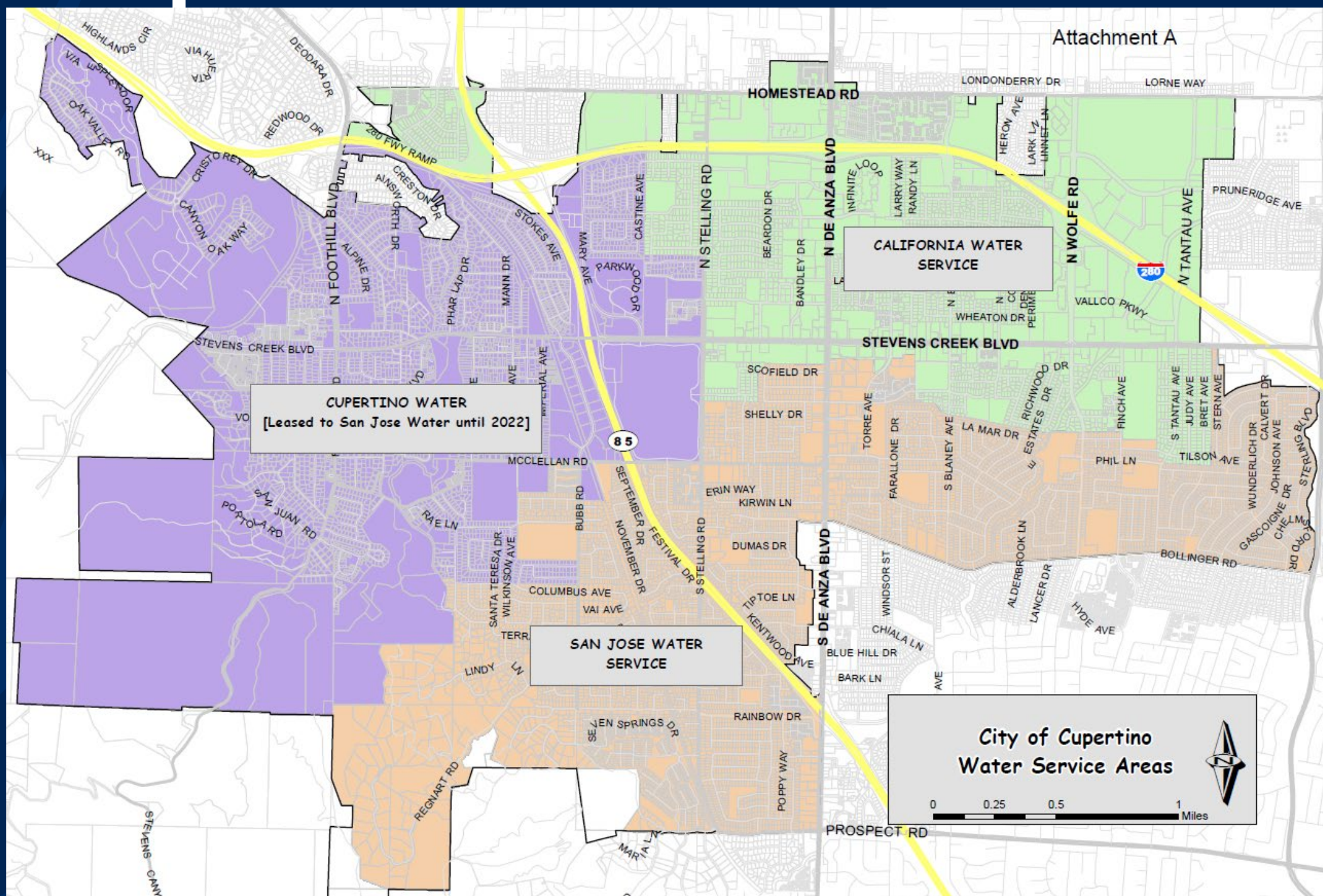
Cupertino Municipal Water System

Consideration of Sale, Lease or City Operation

July 20, 2021



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History and Current Lease

- Operated by City until 1997
- Leased to San Jose Water Co. for 25-years in October 1997
- Lease amended in 2019
- Amended lease expires October 2022

Options to Consider for Future Operation of System

- Sale
- City Operation
- New Extended Lease

Sale – not recommended

- Option 1 – 41 months
 - Request for Proposals
 - Majority vote
- Option 2 – 45 months
 - Legislative amendment

City Operation – not recommended

- City forces
- City assumes all risk
- Higher rates

New Long-Term Lease

- recommended

- City retains ownership
- Customers of System receive comparable services and rates
- Ease and time of implementation

New Long-Term Lease

- Lease provisions will include:
 - 20-year term
 - Annual System improvements
 - Rates equal or less than surrounding systems

New Long-Term Lease

Request for proposals

- Qualifications, experience, and history in operating water systems
- Concession amount proposed
- Annual payment amount proposed

Next Steps

Activity	Date
New lease completed	July 26, 2021 – October 1, 2021
RFP issued with new lease	October 5, 2021
RFP evaluated by potential proposers	October 5, 2021 – December 7, 2021
Proposals received by City	December 7, 2021
Proposal evaluated by staff	December 7, 2021 – February 15, 2022
Public hearing by Council	March 1, 2022
Transition of System to selected proposer	April 2022 – October 2022
Begin new long-term lease	November 2022

Recommended Actions

- Conduct a Public Hearing to consider the continued operation of the Cupertino Municipal Water System; and
- Adopt Resolution 21-XXX, authorizing the Public Utilities Code § 10061 process for a future long-term lease of real property (Cupertino Municipal Water System)

Cupertino Municipal Water System

Consideration of Sale, Lease or City Operation

July 20, 2021



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#25

Community Relations
Coordinator

Presentation

Consider increasing the current 0.75 Community Relations Coordinator to 1.0 Full-time Position

July 20, 2021



CUPERTINO



Recommendation

Approve increasing the current 0.75 FTE Community Relations Coordinator (Block Leader Program) position by 0.25 and approve Budget Modification Number 2122-153 to appropriate \$38,352 for the 0.25 FTE addition.



Background

The Block Leader Program:

- Introduced after 9/11
- Provides opportunities for engagement, communication, and public safety
- Facilitates information sharing between the community and city staff



Background

The Community Relations Coordinator:

- Originally established as a 0.75 benefited FTE in 1998
- Legacy structure that is not cost effective
- Current city practices are in conflict



Recommendation

Approving the 1.0 FTE will:

- Allow for a full-time position recruitment
- Reduce part-time position
- Support the revamp and administration of Block Leader and Neighborhood Watch Programs



Recommendation

Approve increasing the current 0.75 FTE Community Relations Coordinator (Block Leader Program) position by 0.25 and approve Budget Modification Number 2122-153 to appropriate \$38,352 for the 0.25 FTE addition.




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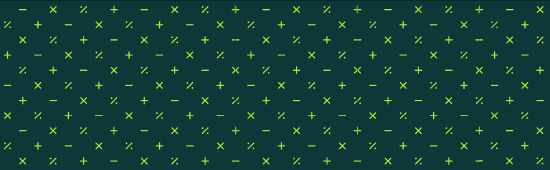
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#26

Risk Assessment and Internal Audit Program

Presentation

MOSSADAMS




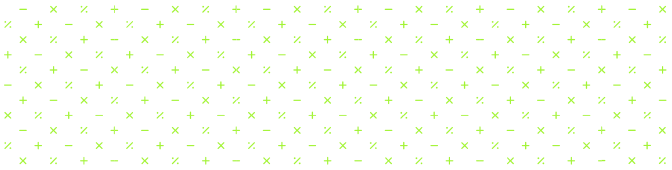
City of Cupertino

Risk Assessment and Internal Audit Plan

Council Meeting
July 20, 2021

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MOSSADAMS



Overview

- I. Introduction
- II. Internal Audit Program Components
- III. Risk Assessment Process
- IV. Risk Assessment Results
- V. Potential Internal Audit Projects
- VI. Recommended FY 21-22 Internal Audit Plan

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I. Introduction

- The City retained Moss Adams LLP to serve as the designated Internal Auditor and conduct projects focusing on:
 - Risks
 - Internal controls
 - Compliance
 - Performance
 - Best practices
- Work is being completed under appropriate industry standards



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II. Internal Audit Program Components



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III. Risk Assessment Process



PLANNING	We began planning our assessment by requesting a standard set of documents from the City, including (but not limited to) prior risk assessments, audits, public website documents, and financial reports. We used these documents to identify the first round of individuals to interview and additional document needs based on business process/functional areas.
FACT-FINDING	Fact finding encompassed analyzing received documents, interviewing employees and City Council members, and soliciting additional employee feedback via an online survey. During this phase, we gathered information in order to gain a clear understanding of the City and the way it operates to achieve its goals and purpose.
ANALYSIS	With the information collected and compiled, we performed a risk assessment that included a comprehensive review and analysis of the various categories of risks. This analysis included assessing current risk conditions and trajectory, the level of preparedness efforts to mitigate risks, and the probability and potential impact a negative event may have on the City's ability to achieve its mission, vision, and strategic goals.
REPORTING	During this phase, we developed a draft report to engage in review and discussion with senior leadership. Based on feedback, we finalized the report for delivery to the City Manager and presentation to the Audit Committee.

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III. Risk Assessment Process



RISK LEVEL	Level of uncertainty that could impair functions and processes, in the absence of any actions taken to alter either the risk's likelihood or impact.
LIKELIHOOD	Qualitative assessment of the probability of a negative event occurring, given the current risk conditions.
IMPACT	Level of potential impact of a negative event on strategy, people, operations, systems, and resources.
PREPAREDNESS	Level of preparedness through activities and resources to manage risks and minimize and limit potential losses.
TRAJECTORY	Trajectory of the risk level, given the current risk conditions.
RISK MITIGATION	Potential strategies for reducing risk.
RESIDUAL RISK	Possible remaining exposure after known risks have been mitigated through specific actions.

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IV. Risk Assessment Results

RISK CATEGORY	RISK ASSESSMENT	EMPLOYEE SURVEY RESULTS
Procurement and Contracting	High	Low-to-Moderate
Governance	Moderate-to-High	Moderate
External Environment	Moderate-to-High	Moderate
Human Capital and Resources	Moderate-to-High	Moderate
Information Technology	Moderate-to-High	Low-to-Moderate
Planning and Strategy	Moderate-to-High	Moderate
Policies and Procedures	Moderate-to-High	Moderate
Capital Improvement Program	Moderate	Low-to-Moderate
Compliance and Financial Reporting	Moderate	Low-to-Moderate
Ethics and Fraud, Waste, Abuse	Moderate	Low-to-Moderate
Internal Controls	Moderate	Low-to-Moderate
Operations and Service Delivery	Moderate	Moderate
Organization and Staffing	Moderate	Moderate
Risk Programs	Moderate	Moderate
Accounting and Finance	Low-to-Moderate	Low-to-Moderate
Asset Management	Low-to-Moderate	Low-to-Moderate
Management and Leadership	Low-to-Moderate	Moderate
Public Safety and Security	Low-to-Moderate	Low-to-Moderate
Reputation and Public Perception	Low-to-Moderate	Low-to-Moderate



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V. Potential Internal Audit Projects

- Procurement Operational Review
- Governance Policies Revisions
- Fraud, Waste, and Abuse (FWA) Program Development
- Policy Inventory and Plan
- Senior Center Operational Review
- Vendor Management Internal Controls Review
- Third-Party Contract Audit
- Capital Program Effectiveness Study
- Grants Management Process Review
- AR and Revenue Internal Controls Review
- Employee Performance Management Review



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VI. Recommended FY 21-22 Internal Audit Plan

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1. Procurement Operational Review (high risk): Assess the City's procurement function, including structure, policies and procedures, processes, tools, oversight, and training.
2. Policy Inventory and Plan (moderate to high risk): Perform an inventory of financial policies, compare to best practices, and establish a prioritized plan to develop/update priority policies.
3. Capital Program Effectiveness Study (moderate to high risk): Assess processes, interdepartmental collaboration, and throughput for capital planning and execution, including contract management and reporting.
4. Fraud, Waste, and Abuse (FWA) Program Development (moderate risk): Develop a FWA program, including program design, hotline implementation, ongoing hotline administration, and training.

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VI. Recommended FY 21-22 Internal Audit Plan

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#	Project	Budget	7-9/21	10-12/21	1-3/22	4-6/22
1	Procurement Operational Review	\$50,000				
2	Policy Inventory and Plan	\$35,000				
3	Capital Program Effectiveness Study	\$35,000				
4	FWA Program**	\$25,000				
	Ongoing Program Management	\$5,000				
	FY 20-21 Budget*	\$50,000				
	FY 21-22 Budget	\$100,000				

* FY 20-21 Total Budget \$100,000, \$50,000 remaining to carry forward after Enterprise Risk Assessment (\$50,000)

** Ongoing annual costs to administer an Ethics hotline include approximately \$2,000 for a hotline and \$16,000 to review, disseminate, and track reports received through the hotline. .

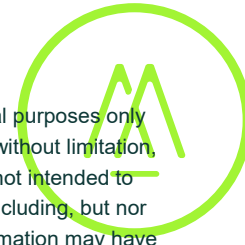
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Assurance, tax, and consulting offered through Moss Adams LLP. Wealth management offered through Moss Adams Wealth Advisors LLC. Investment banking offered through Moss Adams Capital LLC.



THANK
YOU

CC 7-20-2021

#27

Drought and Water
Conservation

Presentation

Drought Status and Municipal Water Conservation Measures

July 20, 2021



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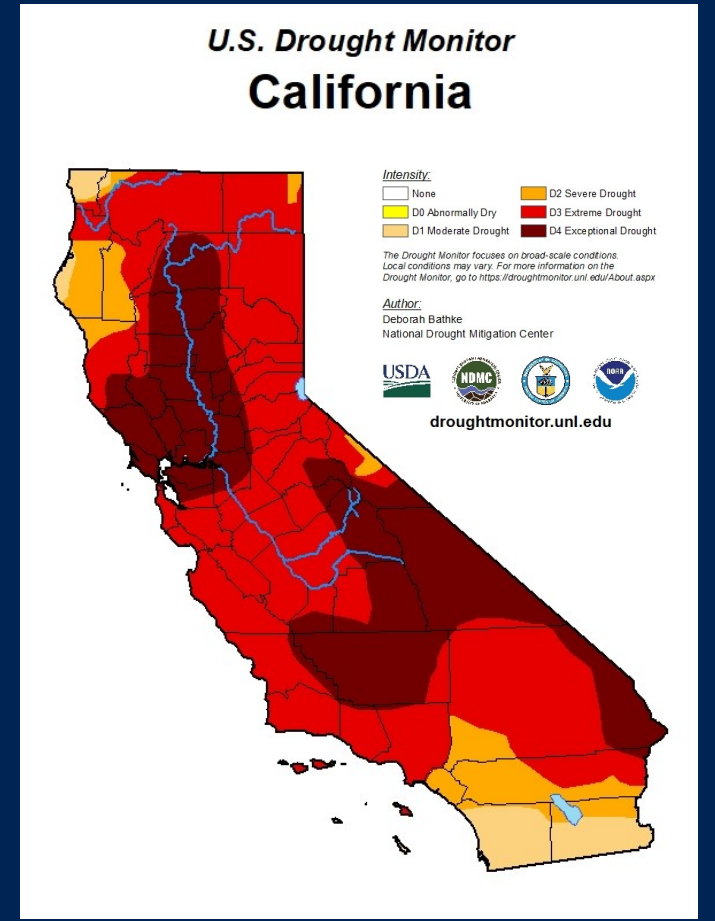


Agenda:

- Drought Status
- Drought Impacts to Valley Water
- Where Municipal Water is used
- How much Municipal Water is consumed
- Water Conservation Measures for Municipal Water Use
- Water Retailers Actions
- Next Steps
- Input / Questions

Drought Status

- April 21 – Governor Newsom Drought Proclamation – Mendocino, Sonoma Counties
- May 10 – Governor expanded Drought Proclamation to 41 Counties, including Alameda County. Santa Clara County not included.
- May 25 – U.S. Drought Monitor: Santa Clara County in Extreme Drought
- June 9 – Water use restrictions by Valley Water
- July 8 – Governor issued Executive Order N-10-21



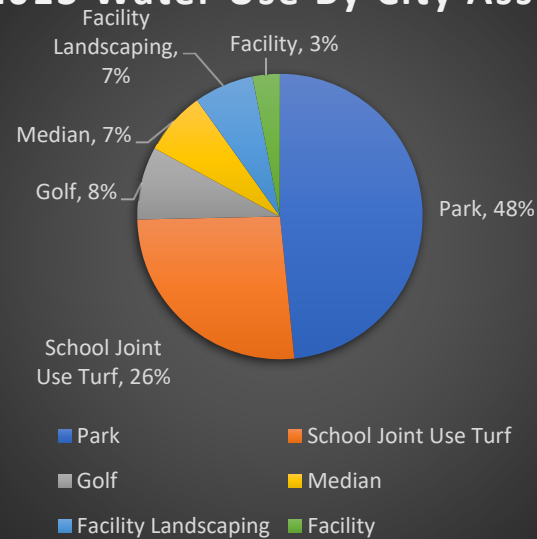


Drought Impacts to Valley Water

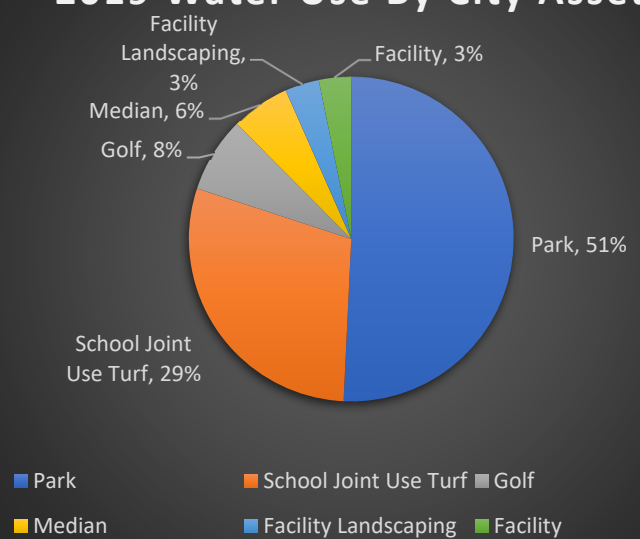
- Low local water supplies
- Low imported water allocations
- Anderson Reservoir
- Coyote Reservoir
- Groundwater
- Special Meeting on June 9, 2021
 - Imposed 15% of 2019 Water Use (33% of 2013 Water Use)

Where Municipal Water is used (2013 vs 2019)

2013 Water Use By City Asset

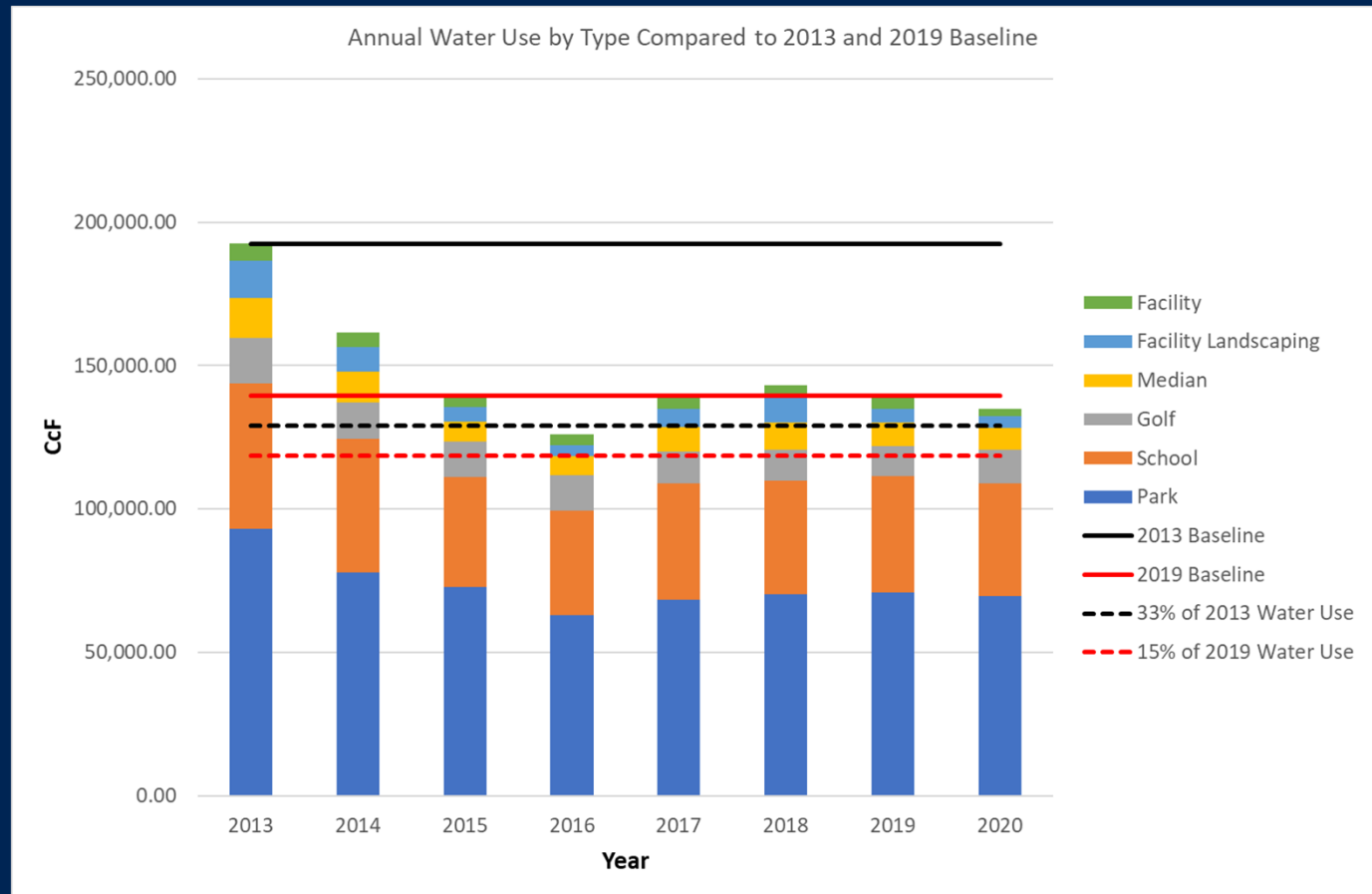


2019 Water Use By City Asset



AD1

How much Municipal Water is consumed (2013 vs 2019)



Slide 6

AD1

If we have a complete history would be good to see if our use dropped in 2015 then rose back up? I can dig into some of the data to see if we have that complete annual history. That might be more illustrative than picking out just 2013, 2019, and 2020

Andre Duurvoort, 7/14/2021



Water Conservation Measures for Municipal Water Use

- City Ordinance 15.32 – Water Conservation
- 2015 Water Conservation Measures
- Partnered with Valley Water and water retailers to offer rebates (Graywater - Laundry to Landscape, Landscape Conversion and Rainwater Capture)
- Achieved 31% below 2013 consumption baseline during 2015 drought event

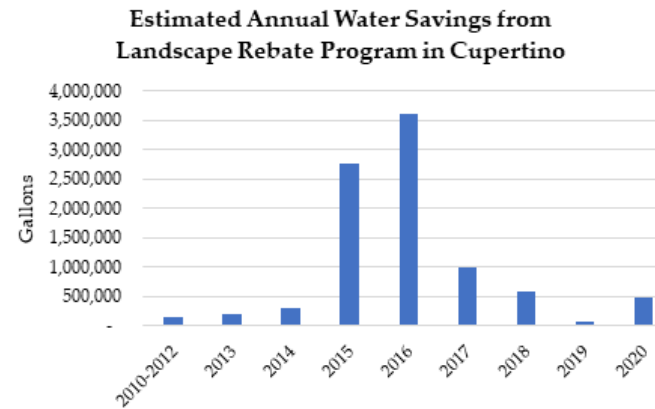
Water Conservation Measures for City Operations

Stage #	Condition	Action
1	No drought conservation measures required	None
2	Reduction < 10%	Reduce water programming of all outside irrigation by a minimum of the conservation amount
3	10% < Reduction < 20%	<ul style="list-style-type: none"> • Reduce water programming of all outside irrigation by a minimum of the conservation amount • No filling of pond at Memorial Park • Reduce operational hours of interactive fountain at Community Hall from 10am-8pm to Noon-6pm • Water used to clean asphalt areas/sidewalks/plaza areas to be minimized and follow stormwater requirements
4	20% < Reduction < 40%	<ul style="list-style-type: none"> • Reduce water programming of all outside irrigation for trees/shrubs by a minimum of the conservation amount • Large and/or desirable species to have priority over less desirable species • No watering of turf used passively • Limited watering (consistent with 2 days/week watering or similar) of turf areas used intermittently by City permitted events • A minimum of 20% reduced watering of turf areas programmed by City or school recreation events • Each facility will be managed in accordance with the area defined in Attachment A. <ul style="list-style-type: none"> • No filling of ponds at Memorial Park • No operation of the interactive fountain at Community Hall • No water used to clean asphalt areas/sidewalks/plaza areas • Water used for street sweeping to be minimized while complying with Santa Clara Valley Air Board requirements
5	Reduction > 40%	<ul style="list-style-type: none"> • Reduce water programming of all outside irrigation for trees/shrubs by a minimum of the conservation amount • Large and/or desirable species to have priority over less desirable species • No watering of turf unless required to maintain safe conditions • No filling of ponds at Memorial Park • No operation of the interactive fountain at Community Hall • No water used to clean asphalt areas/streets/sidewalks/plaza areas • Water used for street sweeping to be minimized while complying with Santa Clara Valley Air Board requirements

Stage 4 (20%<Reduction<40%)

- Reduce water programming of all outside irrigation for trees/shrubs by a minimum of the conservation amount
- No watering of turf used passively
- Limited watering (consistent with 2 days/week watering or similar) of turf areas used intermittently by City permitted events
- A minimum of 20% reduced watering of turf areas programmed by City or school recreation events
- No filling of ponds at Memorial Park
- No operation of the interactive fountain at Community Hall
- No water used to clean asphalt areas/sidewalks/plaza areas
- Water used for street sweeping to be minimized while complying with Santa Clara Valley Air Board requirements

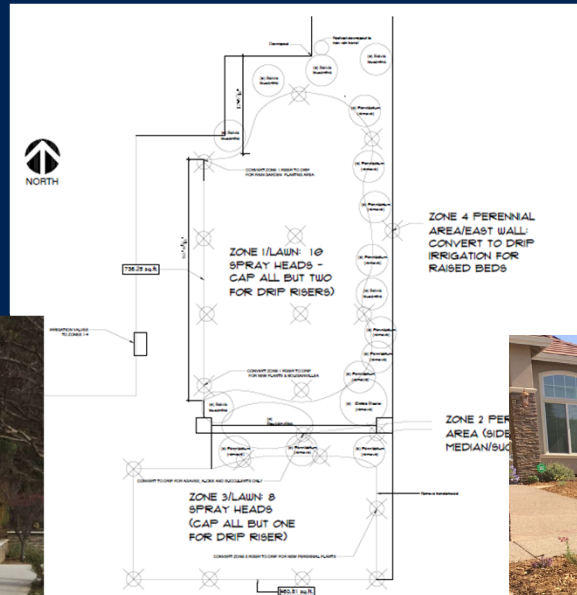
Landscape Conversion Water Savings



Cupertino Participation in SCVWD Landscape Rebate Program			
Year	# Rebates	Sq. Feet Converted	Est. Annual Savings (gallons)*
2010-2012	5	7,196	143,920
2013	8	9,933	198,660
2014	16	15,585	311,700
2015	106	138,121	2,762,420
2016	114	180,400	3,608,000
2017	37	49,525	990,500
2018	27	28,834	576,680
2019	6	3,800	76,000
2020	20	24,075	481,500

*Based on an estimate of 20 gallons per square foot of lawn conversion

Program Highlights: Climate Victory Gardens



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Water Conservation Efforts for Current Drought

- Implement current water conservation measures
- Communicate to community about the importance of water conservation
 - www.cupertino.org/drought
- Partner with Valley Water and water retailers to offer rebates (Graywater - Laundry to Landscape, Landscape Conversion and Rainwater Capture)



Civic Center



Monta Vista Rec Center



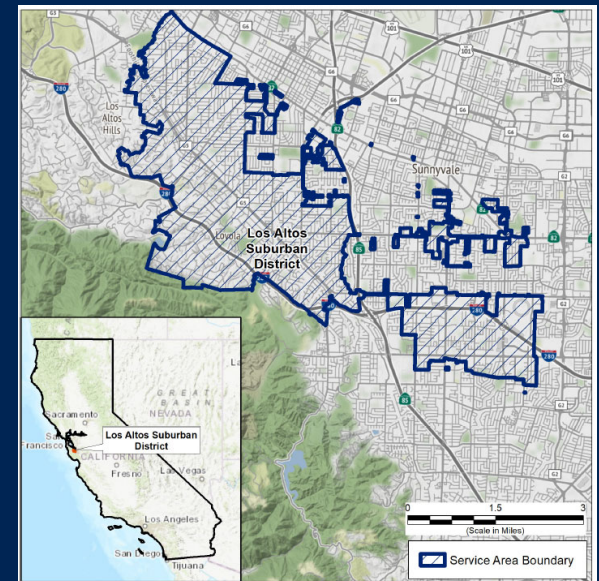
Water Retailers Actions

- June 14, 2021, California Water Service Company filed Rule 14.1 with California Public Utilities Commission (CPUC)
 - Effective July 14, 2021
 - Implementing Stage 1 of their Water Shortage Contingency Plan
- June 18, 2021, San Jose Water Company filed Advice Letters 563 and 564 with CPUC to activate Rule 14.1
 - Stage 3 of their Water Shortage Contingency Plan

The District

Los Altos District

- Since 1931
- One Public Water System
- Uses groundwater, recycled water and purchased water from Santa Clara Valley Water District (Valley Water)
- Distribution system includes 22 wells and 46 surface storage structures



Quality. Service. Value. ®

California Water Service Drought Response

Residential Water-Efficiency Programs

- Rebates
 - www.calwater.com/rebate
 - High-efficiency toilets
 - High-efficiency clothes washers
 - Smart irrigation controllers
 - High-efficiency sprinkler nozzles
- Conservation Kits
 - www.calwater.com/kit
- Smart Landscape Tune-Up Program
- Turf Replacement Rebate (July Launch)
- Drip-line Conversion Rebate (July Launch)



California Water Service Drought Response

Commercial Water-Efficiency Programs

- Rebates
 - www.calwater.com/rebate
 - High-efficiency toilets
 - High-efficiency urinals
 - Smart irrigation controllers
 - Spray bodies w/ pressure regulation
 - Large rotary nozzles
 - High-efficiency sprinkler nozzles
- Customized Incentives
- Smart Landscape Tune-Up Program
- Turf Replacement Rebate (July Launch)
- Drip-line Conversion Rebate (July Launch)





Conservation Programs That Work

Los Altos

- Conservation programs in 2019 = savings of 10 million gallons (MG)
- Conservation programs implemented in 2019 will save 166 MG over their lifetime
- Conservation programs implemented since 2011 = 750 MG lifetime cumulative savings

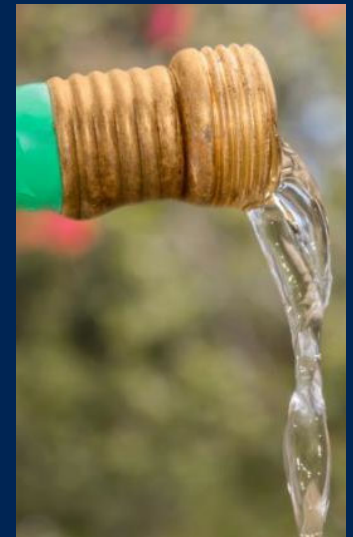
Rule 14.1

Prohibited Uses of Water

- Use of water on landscaping that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures
- Use of a hose without a shut-off nozzle to wash vehicles
- Use of water for washing driveways and sidewalks
- Use of water for decorative fountains that do not utilize a recirculation system
- Use of water on landscaping during or within 48 hours after rainfall
- Use of excessive water due to unrepaired leaks or defective irrigation systems
- Providing water in restaurants (except upon request)
- Outdoor irrigation between the hours of 8:00 am and 6:00 pm

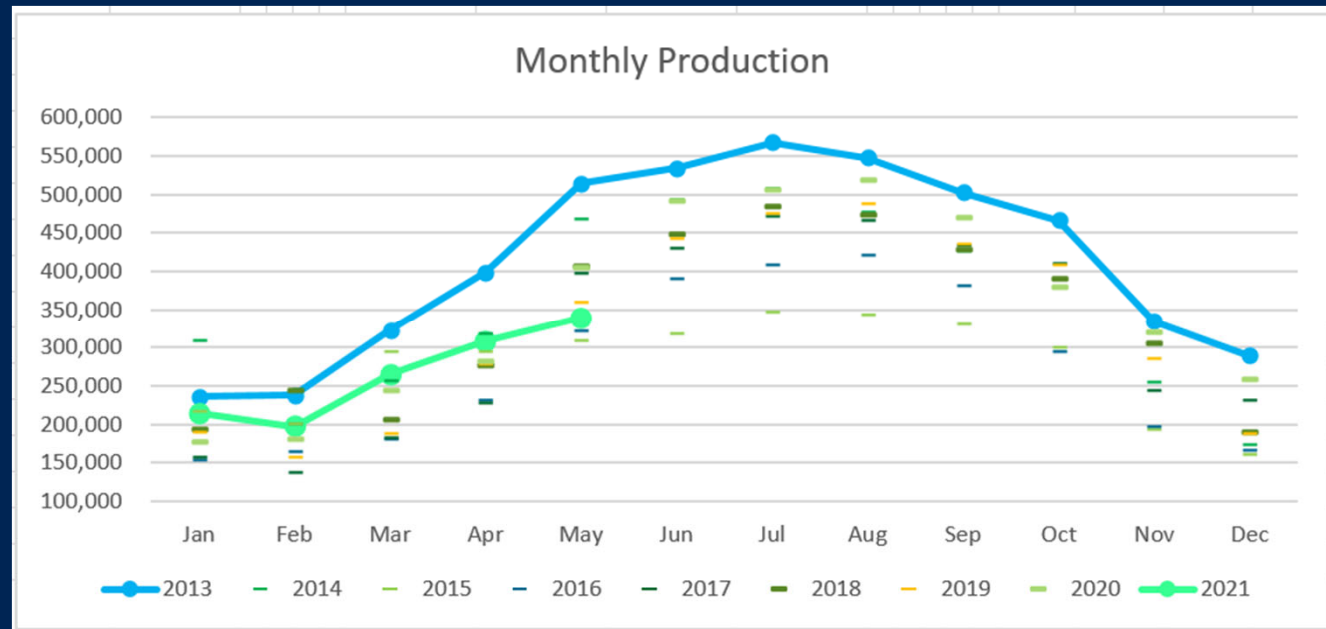
<https://www.calwater.com/conservation/resources/>

<https://www.calwater.com/conservation/report/>



Proven Track Record for Success

Everyone is a Water Manager



Smart Landscape Tune Up

Smart Landscape Tune-Up Program

- Irrigation system efficiency evaluation by Cal Water contractor
- Cal Water conservation team member follows up, providing recommendations for irrigation system improvements based on the onsite evaluation
- Schedule follow-up visit with Cal Water contractor, selected improvements made at **no charge**



San Jose Water Drought Response

- Current restrictions focus on outdoor water use (typically 50% of residential consumption)
- No penalties (surcharges) at this time
- SJW has actively promoted water conservation since the early 1990s and continues to encourage our customers to conserve and use water wisely at all times

An abstract graphic on the left side of the slide, featuring a dark blue background with lighter blue geometric shapes, including triangles and curved lines, creating a dynamic, sunburst-like pattern.

San Jose Water Drought Response

- Conservation program includes complimentary water efficiency visits, water-wise gardening info and conservation tips, rebates and other incentives
- Strongly committed to doing everything we can to reduce water loss on our side through deployment of technology and timely response to leak repairs



San Jose Water Drought Response

- Established a one-stop drought information page on our website at <http://www.sjwater.com/drought> which includes the following:
 - Current drought update plus older updates
 - Drought FAQ – Learn more about the extreme drought
 - Free water-saving devices – to help our customers fight the drought



San Jose Water Drought Response

- Conservation is a California Way of Life
– One page with a focus on conservation, tips, water-wise gardening tips, water loss prevention, CATCH program, etc.
- CATCH – our free water-efficiency program to have a water check-up at residential customer's homes. Focus is on outdoor water savings.
- Valley Water's statement on the 2021 drought.



San Jose Water Drought Response

- Rebates options for customers to save water on landscaping, irrigation, etc.
- Online form and phone number to report water waste and leaks
- SJW's best practices and water-savings efforts – Leak repairs, What Goes into a Water Leak Repair, Advanced Leak Detection, Flushing Truck, Infrastructure Investment and 2020 Draft Urban Water Management Plan.



San Jose Water Drought Response

- US Drought Monitor – Weekly updates on California drought conditions.
- Further dissemination through bills, social media, and other channels to keep customers informed
- Committed to helping customers with their conservation efforts to meet the challenge facing our community



Next Steps

- Implement current water conservation measures
- Outreach to park and field user groups and community
- Continue coordination with Valley Water, San Jose Water Company and California Water Services



Input and Questions

END SLIDE

Report on Drought Status
&
City's Water Conservation Measures



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July 20, 2021