

CC 7/20/21

Study Session Item #1
Blackberry Farm Golf
Course

Written Communications

Council Meetings Regarding the Stevens Creek Corridor Master Plan (2014)/BBF Golf Course

*Stevens Creek Corridor Master Plan (SCC Master Plan) was formerly referred to as “Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan”

December 16, 2014

Subject: Study session for Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan on recommended alternatives to proceed with an EIR

Recommended Action: Schedule Study Session for Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan on recommended alternatives to proceed with an EIR.

25 people provided public comment.

Study session was continued to January 21 for Council deliberation

[Agenda](#)

[Staff Report and Attachments](#)

[Meeting Minutes](#)

January 21, 2015

Canceled and rescheduled for February 3, 2015.

[Cancellation Notice](#)

February 3, 2015

Subject: Study session for the Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan (SCC Master Plan) and recommend alternatives to proceed with an Environmental Impact Analysis. (Re-noticed from January 21, 2015)

Recommended Action: Conduct study session for the Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan and recommend alternatives to proceed with an Environmental Impact Analysis.

19 people provided public comment.

Extensive feedback provided by Council on elements of the SCC Master Plan (chart provided in minutes)

[Agenda](#)

[Meeting Minutes](#)

April 5, 2016

Subject: Review the Stevens Creek Boulevard to McClellan Road Creek Corridor Master Plan (Stevens Creek Corridor Master Plan) Draft preferred alternative.

Recommended Action: Review the draft preferred alternative for the Stevens Creek Corridor Master Plan and provide direction to staff regarding proceeding with environmental evaluation.

8 people provided public comment.

Item was continued to a future meeting to be determined.

[Agenda](#)

[Meeting Minutes](#)

July 16, 2019

Subject: Parks and Recreation Commission Fiscal Year (FY) 2019-20 Work Program

Recommended Action: Approve the Parks and Recreation Commission FY 2019- 20 Work Program

Sinks moved and Scharf seconded to approve the Parks and Recreation Commission FY 2019- 20 Work Program with an amendment to, with input from Planning staff, using current data, to look at options for Blackberry Farm Golf Course. The motion carried unanimously.

[Agenda](#)

[Meeting Minutes](#)

October 1, 2019

Subject: Amend the Fiscal Year 2019- 2020 City Work Program to add a new Financial Sustainability item to study and present options to City Council on potential changes to the Blackberry Farm Golf Course and extend the project completion date for the Use of Athletic Fields in Parks from June 2020 to June 2021 and approve budget modification # 1920- 064 to appropriate\$ 35, 000 to fund the new work.

Recommended Action: Approve amendments to the Fiscal Year 2019- 2020 City Work Program as proposed in Attachment A, adding Review and Present Options for Changes to the Blackberry Farm Golf Course project and extending the completion date for the Use of Athletic Fields in Parks project from June 2020 to June 2021, and approve budget modification # 1920- 064 to appropriate\$ 35, 000 to fund the new work.

Council did not approve the recommended action and moved that staff provide the Council background and historical information on the golf course to continue the discussion in the January/February time frame.

[Agenda](#)

[Meeting Minutes](#)

November 8, 2019

City Council participated in a training workshop facilitated by Management Partners.

The presentation identified deferred maintenance of the golf course as a major challenge the City Council must face in the next two years.

[Agenda](#)

[Meeting Minutes](#)

March 31, 2020

Subject: FY 2020-21 City Work Program

Recommended Action: Adopt FY 2020-21 City Work Program

Council adopted the FY 2020-21 City Work Program which included an item to determine short-term and long-term improvements to the golf course and amenities.

[Agenda](#)

[Minutes](#)

May 26, 2021

Subject: Consider the proposed Fiscal Year 2021-2022 City Work Program

Recommended Action: Provide any input and adopt the FY 2021-2022 City Work Program

Council adopted the 2021-2022 City Work Program, which included an item to Determine short-term and long-term improvements to the golf course and amenities.

[Agenda](#)

[Minutes](#)

Cyrah Caburian

From: Dave McLeroy <dave@greenleaf.com>
Sent: Monday, July 19, 2021 2:12 PM
To: City Council
Subject: Blackberry golf course changes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

1. How much does the water cost per year to irrigate the turf?
2. The water pressure looks fine when the system is running. What kind of pipe is in the ground? PVC? Iron?
3. Has a cost analysis for running wire to all manual valves and replacing these valves with modern electronic valves been conducted?
4. What is the annual contracted cost for maintenance on the golf course?
5. Does the golf course run in the black or is it subsidised by the general fund?

Thanks,
Dave McLeroy
Landscape water conservation manager

--

Dave McLeroy
President
(408) 205-7775 Cell

Cyrah Caburian

From: Giulianna Pendleton <giulianna@scvas.org>
Sent: Monday, July 19, 2021 4:41 PM
To: City Council
Cc: Shani Kleinhaus
Subject: Public Comment Item #1 Blackberry Farm Golf Course
Attachments: 7-20-21 Public Comment Blackberry Farm.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please see the attached public comment letter regarding the Blackberry Farm Golf Course.

Thank you,

Giulianna Pendleton

Environmental Advocacy Assistant
Santa Clara Valley Audubon Society
22221 McClellan Rd
Cupertino, CA 95014
408-656-7978
giulianna@scvas.org



July 19, 2021

City of Cupertino City Council

Re: Item 1 on the July 20th, 2021 Agenda: Support for staff recommendations

Dear Mayor Paul and Council Members:

Santa Clara Valley Audubon Society (SCVAS), headquartered at McClellan Ranch for over 40 years, **writes in support of staff's recommendation 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).** Staff recommendations are based on community and Park Commissioner input from June 3rd, 2021.

At this time, SCVAS does not support Option 2, the Preferred Alternative Renovated Course, which would greatly intensify disruptive use in this area. The reconfigured golf course and relocated club/restaurant; accommodating up to 200 people for events; creating additional parking spaces all introduce more light, noise and activities that are likely to disturb wildlife and degrade the habitat along Stevens Creek.

The golf course as it is today provides some habitat that supports wildlife. With minimal repairs (option 1), the golf course can use water more responsibly and convert over one-acre of the course to a lowland native area. While this is not our preferred alternative, we recognize that with careful planning and with management of golfers' access, this could potentially provide some habitat value.

Returning the golf course to its natural habitat (option 3) is our preferred option. This would provide the most habitat value to native wildlife, including birds, plants, insects, and other fauna. It would act as a connector, rather than fragmentor, of the Stevens Creek Corridor, which would further support wildlife. Moreover, community members would benefit from this conversion, as the Stevens Creek Corridor has more visitors annually than that of the Blackberry Farm golf course (55,000 versus 28,000). Connecting Blackberry Farm to the Stevens Creek Corridor would expand the nature experience for residents and visitors to the area.

Located in this loved creek-side location, Blackberry Farm is in a favorable environment for increasing habitat value. Riparian corridors are sensitive, important habitats for both flora and fauna, such as the protected steelhead trout. With over 75 trees within the area currently,

Blackberry Farm is in a favorable position to increase the amount of mature native trees and further enhance wildlife.

SCVAS is excited about the study of restoring the golf course to its natural habitation (option 3). We are looking forward to the next steps, including a feasibility study for Option 3 that includes consideration of State and Valley Water grants as well as community outreach and surveys.

Thank you,

Giulianna Pendleton
Environmental Advocacy Assistant
Santa Clara Valley Audubon Society

Cyrah Caburian

From: John Ennals <djsennals@gmail.com>
Sent: Tuesday, July 20, 2021 3:58 PM
To: City Clerk
Subject: Ennals comments on Blackberry options
Attachments: Ennals comments on Blackberry options

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John Ennals, Florence Drive.

My preference of the three options considered for the Blackberry farm Golf Course:

3. Definitely do not do the return to natural state: We walk the trail most days and witness the efforts in McClellan ranch to do this. They have failed. It's just an untidy mess of dead or dying plants, surrounded by weeds. It is costing a lot of money and will be unsightly, and generate no revenue to offset it's costs. The new parking area recently built at the ranch was landscaped professionally with native plants and then allowed to die. Please do not do this.

2. This proposal looks good - well researched and a credit to Cupertino. Finally solve the Blue Pheasant problem with a well designed facility that meets the needs of the golfing public. I am a golfer but find the current state of the course not too fun to play, and nowhere to practice. The new ideas look like there is fun to be had for all ages.

1. If we cannot afford 2, then we have to do this. Nice to see the uptick in rounds during Covid. This is happening nationwide and has been a great boon to the golf business. But the Blue Pheasant and the other houses should be replaced too. Perhaps we can then find space to incorporate some of the practice features of 2.

Cyrah Caburian

From: Rhoda Fry <fryhouse@earthlink.net>
Sent: Tuesday, July 20, 2021 4:42 PM
To: City Council; Cupertino City Manager's Office; City Clerk
Subject: Comments Study Session 7/20/21 #1 Golf Course

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council Members,

In your packet, there is a golf course history that starts at 2014. I hope that you could take a further look back. I am relying on memory because I do not have time to pull up the documents for the Stevens Creek Corridor Mitigated Negative Declaration. Since you're pulling up old plans, I think that these plans need to be pulled up in order to make an informed decision. There are a few things that I recall that I think you should know.

1. There were naturalized ponds at the golf course that were of interest to the California Department of Fish and Wildlife because of the wildlife that it supported. The ponds were supposed to remain and now they are gone. I miss the red-winged blackbirds that resided there.
2. Part of the original plan was to replace the watering system. At the time it was estimated to cost in the \$250K range. Why did it take so long.
3. Public Works Director Ralph Qualls had said that the City owned water rights at the golf course, but after the creek work, the golf course switched to San Jose Water Company and the cost of operations increased. The plan did not mention a switch from onsite water to potable water.

As to costs, if we're going to talk about money, I think that we need more information:

- a) The report mentions the subsidy of the pool/picnic business. Can we please have that information in dollars in addition to percentages? Is the capital maintenance/improvement cost factored into the cost of the pools?
- b) Also, what is the cost of maintaining the golf course vs maintaining Memorial Park? I think they'd be about the same size. Or what would it cost to maintain it as a forest?

I think that we also need to look at the Blue Pheasant as well as part of the whole picture. I'm glad to see that staff is not advocating for a huge new restaurant close to homes that would likely suffer from restaurant/bbq fumes. We know that for reasons unknown, it has been difficult to maintain infrastructure within the City (Memorial Park, fountains at Quinlan, Barn at McClellan Ranch, etc...). I also don't think that it would be a good idea to attempt to create new businesses that would compete with other local businesses. So that leaves us with a simple golf course or a forest.

Due to the wildlife corridor, per the original MND, the site is not well-suited to night-time lighting, so I don't think that ball fields are the way to go as had been proposed in the past. It seems that golf has had a resurgence, which is nice to see because it provides a venue that is hard to replicate elsewhere. I'd advocate for either retaining golf or making the area to be a forest.

Regards,
Rhoda Fry

Cyrah Caburian

From: Karen Cary <karen_cary@hotmail.com>
Sent: Tuesday, July 20, 2021 4:25 PM
To: City Council
Subject: Comment on an item on the agenda

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City Council to Discuss Blackberry Farm Golf Course Feasibility Study Options

STAFF REPORT

Page 6

Nature Experience was one of the key themes garnered from the community outreach for the Parks and Recreation Master Plan. Expanding access to nature is a top priority for the community. Throughout all outreach activities, participants consistently favored incorporating nature and increasing access to natural open space over other potential enhancements. **85% of survey respondents noted that improving access to natural open space is desired in the City.** Where does the 85% number come from? Why was this survey which directly asks respondents what is desired in their city versus the attached Activity Participation Survey which generically ask, "Do you or members of your household participate in any of the following recreation & leisure activities not attached?

Cyrah Caburian

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Due to the wildlife corridor, per the original MND, the site is not well-suited to night-time lighting, so I don't think that ball fields are the way to go as had been proposed in the past. It seems that golf has had a resurgence, which is nice to see because it provides a venue that is hard to replicate elsewhere. I'd advocate for either retaining golf or making the area to be a forest.

Regards,
Rhoda Fry

Cyrah Caburian

From: Connie Cunningham <cunninghamconniel@gmail.com>
Sent: Tuesday, July 20, 2021 6:18 PM
To: City Clerk; City Council
Cc: Cunningham Connie
Subject: CC July 20, 2021: Agenda Item 1, Blackberry Farm Golf Course Feasibility Study Options

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Kirsten: please add this to the written record for public comment on Agenda Item 1, Blackberry Farm Golf Course Feasibility Study Options

July 20 Special Meeting Agenda Item 1, Blackberry Farm Golf Course Feasibility Study Options ; presentation by Joanne Magrini, Director of Parks & Recreation

Good evening, Mayor Paul and Councilmembers:

I often walk at McClellan Ranch. Cupertino's Blackberry Farm and McClellan Ranch are jewels in the increasingly urban environment of our County. I agree with the position of the Audubon Society letter in Written Communications that you support the Staff Recommendation for Option 3 - **Return the golf course to natural habitat**, and with less interest in Option 1 (minimal repairs to the Golf Course.) since it is much less habitat-friendly for wildlife.

It is important to note that a Return to nature is the least impactful to the environment. As the South Bay becomes increasingly crowded with development, it is critical that Blackberry Farm and Stevens Creek be retained as environmental jewels in our City.

Please note that Staff has noted on page 5 of their report for Option 3 (return to native habitat) that "Any type of facility that would require lights or may produce sound louder than the sound produced by a golf course, may fail to meet regulations that protect habitat and wildlife in the corridor. "

The Parks and Recreation Commission recommendation is consistent with this Staff position. The Parks Commission stated that the public did not support Option 2, the fully renovated golf course.

Understanding that the recommended action is to approve the Staff recommendation, I urge you to consider changing the direction to focus on Option 3: Return the golf course to natural habitat.

Thank you.

Connie Cunningham
Cupertino Resident and Audubon Society Member

CC 7/20/21

Item #6

June 1 City Council
Minutes

Written Communications

11. Subject: Approve the May 18 City Council minutes
Recommended Action: Approve the May 18 City Council minutes

Written Communications for this item included Amended Attachment A – Draft Minutes (redline).

Paul moved and Wei seconded for the City Clerk to make the correction as noted in the Amended Attachment A – Draft Minutes (redline) and bring back a clean version for Council approval at the June 15 meeting. The motion carried unanimously.

12. Subject: Consider for Approval Mayor's requested changes to Council Agenda-Review schedule.
Recommended Action: Approve Mayor's requested changes to Council's Agenda Review schedule.

Mayor Paul reviewed the requested changes to Council Agenda-Review schedule.

Mayor Paul opened the public comment period and the following people spoke.

Peggy Griffin supported the requested changes to Council Agenda-Review schedule.

Mayor Paul closed the public comment period.

Moore moved and Wei seconded to approve the Mayor's requested changes to Council's Agenda Review schedule with an amendment to request staff work to accommodate Councilmember's requesting not to have agenda review meetings on Thursday's. The motion carried unanimously.

13. Subject: Consideration of Award of Construction Contract for the 2021 Pavement Maintenance Phase 1 - Project No. 2021-105
Recommended Action: Award a Construction Contract for 2021 Pavement Maintenance Phase 1 Project, Authorize the City Manager to Execute a Contract in the Amount of \$1,824,276.55 with O'Grady Paving, Inc. and Authorize the Director of Public Works to Execute any Necessary Change Orders, up to the Construction Contingency Amount of \$182,428, for a Total Authorized Contract Amount of \$2,006,704.55.

16. Subject: Consider Approval of the Renewal with no Increase of the 1992 Storm Drain Fee and the 2019 Clean Water and Storm Protection Fee and an Increase in the Allowable Rebate Amount for Installation of Pervious Pavement Projects at Single-Family Residences and Duplexes.

Recommended Action: Consider Adoption and Approval of:

1. Resolution No. 21-040 (Attachment A) Approving the Renewal and Collection of the 1992 Storm Drain Fee with no Increase in Rates for Fiscal Year (FY) 2021-2022;
2. Resolution No. 21-041 (Attachment B) Approving the Renewal and Collection of the 2019 Clean Water and Storm Protection Fee with No Increase in Rates for FY 2021-2022; and
3. The Increase to an Allowable Rebate Amount for Installation of Pervious Pavement Projects at Single-Family Residences and Duplexes from \$3 Per Square Foot with a \$900 Maximum to \$3 Per Square Foot with a Maximum of \$1,800.

Written communications for this item included a staff presentation.

Director of Public Works Roger Lee introduced the item and Environmental Programs Manager Ursula Syrova gave a presentation.

Councilmembers asked questions and made comments.

Mayor Paul opened the public hearing and, seeing no speakers, closed the public hearing.

Wei moved and Moore seconded to approve:

1. Resolution No. 21-040 (Attachment A) Approving the Renewal and Collection of the 1992 Storm Drain Fee with no Increase in Rates for Fiscal Year (FY) 2021-2022;
2. Resolution No. 21-041 (Attachment B) Approving the Renewal and Collection of the 2019 Clean Water and Storm Protection Fee with No Increase in Rates for FY 2021-2022; and
3. The Increase to an Allowable Rebate Amount for Installation of Pervious Pavement Projects at Single-Family Residences and Duplexes from \$3 Per Square Foot with a \$900 Maximum to \$3 Per Square Foot with a Maximum of \$1,800.

The motion carried unanimously.

ORDINANCES AND ACTION ITEMS

CC 7/20/21

Item #14

Contract for Crossing
Guard Services

Written Communications

Kirsten Squarcia

From: Roger Lee
Sent: Friday, July 16, 2021 4:42 PM
To: Greg Larson
Cc: Dianne Thompson; David Stillman
Subject: RE: 7/15 Request from Councilmember Chao

Greg,
Responding to this request is even easier than I thought!

Please refer Councilmember Chao to our "Walk Audit Reports" website at <https://www.cupertino.org/our-city/departments/public-works/transportation-mobility/safe-routes-2-school/sr2s-resources/walk-audit-reports>

Once at this site, she will find a "Master List of Walk Audit Recommendations and Status" that has everything she asked for.

Happy to provide any follow-up info if needed.



Roger Lee

Director of Public Works
Public Works
RogerL@cupertino.org
(408) 777-3354/3350



From: Roger Lee
Sent: Friday, July 16, 2021 3:42 PM
To: Greg Larson <GregL@cupertino.org>
Cc: Dianne Thompson <Diannet@cupertino.org>; David Stillman <DavidS@cupertino.org>
Subject: 7/15 Request from Councilmember Chao

Greg,
At the agenda review meeting yesterday with Councilmember Chao, she asked for more detail on what school walk audit items were complete and to be completed. We have a comprehensive capital improvement [dashboard](#) to assist the public to view this type of information. However, because the school walk audit project includes improvements at 14 schools and over 100 locations, the information on the dashboard is fairly general.

We can provide a high level summary (with not much additional effort) to you that will be responsive to the request next week. If something is needed sooner, please let me know. Thanks.



Roger Lee

Director of Public Works
Public Works
RogerL@cupertino.org
(408) 777-3354/3350



Kirsten Squarcia

From: Roger Lee
Sent: Monday, July 19, 2021 9:35 AM
To: Greg Larson
Subject: RE: Agenda questions

Greg,
Suggested response to Councilmember Wei:

Hung,
Prior to the current agreement expiring at the end of the FY21/22 school year, staff will coordinate with FUHSD for a new crossing guard reimbursement agreement. This new agreement will be scheduled on a spring '22 agenda date for Council consideration. The FUHSD contribution amount to \$12,500 is to cover 50% of the cost for two crossing guards. The new agreement will likely increase this amount due to rising costs.



Roger Lee

Director of Public Works
Public Works
RogerL@cupertino.org
(408) 777-3354/3350



From: Greg Larson <GregL@cupertino.org>
Sent: Monday, July 19, 2021 7:20 AM
To: Roger Lee <RogerL@cupertino.org>
Subject: FW: Agenda questions

One question on Crossing Guards from Hung Wei.
G



Greg Larson

City Manager - Interim
City Manager's Office
GregL@cupertino.org



From: Hung Wei <HWei@cupertino.org>
Sent: Monday, July 19, 2021 7:13 AM
To: Greg Larson <GregL@cupertino.org>
Subject: Agenda questions

Dear Greg,

I don't have much Agenda question for staff - a lot of reading and notes to myself.
And I've already emailed Minutes edits to you and Kirsten separately.

Here is just one question:

As per the agreement, FUHSD contributes \$12,500 annually for school years 2016/17 through 2021/22 toward crossing guard services at high schools. No additional appropriation is needed for FY2021-22.

Question: Does FUHSD continue to contribute \$12,500 annually after FY2021-22?

Looking forward to ZOOMing with you at 11am!

Best regards,
Hung



Hung Wei

Councilmember

City Council

HWei@cupertino.org

(408) 777-3139



CC 07-20-21

#20

Nomad Transit Contract
Extension, Via-
Cupertino Shuttle Pilot
Program

Written Comments

Cyrah Caburian

From: Peggy Griffin <griffin@compuserve.com>
Sent: Tuesday, July 20, 2021 5:20 PM
To: City Council
Cc: City Clerk
Subject: 2021-07-20 CC Mtg: Agenda Item 20 - Extend Via-Cupertino Shuttle - HEAT MAP INCOMPLETE?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,

For tonight's CC meeting, Agenda Item 20 – Extend Via-Cupertino Shuttle..."Attachment B Ridership Heat Map" does not include the Sunnyvale Caltrain Station or Kaiser Hospital! To have complete information, you need a complete heat map!

REQUEST: Please request that the heat map be updated to include these 2 locations outside of Cupertino.

Thank you,
Peggy Griffin

Cyrah Caburian

From: Peggy Griffin <griffin@compuserve.com>
Sent: Tuesday, July 20, 2021 6:24 PM
To: Kirsten Squarcia; Darcy Paul
Cc: City Council
Subject: 2021-07-20 CC Mtg: PLEASE PULL Consent Item #20 - Extend Via-Cupertino Shuttle

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Paul and City Clerk Kirsten,

I am requesting that you PULL CONSENT ITEM #20 regarding extending the via-Cupertino Shuttle contract on tonight's CC Agenda.

Thank you,
Peggy Griffin

CC 07-20-21

#23

Cupertino
Municipal Water
System Lease

Written Comments

Cyrah Caburian

From: John Ennals <djsennals@gmail.com>
Sent: Tuesday, July 20, 2021 9:39 AM
To: City Clerk
Subject: Re Water Company Lease
Attachments: Note to council re Water lease .pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is John Ennals, living on Florence Drive and a customer of the city owned water company. The current lessee was decided at a meeting of the Council July 21 1997. Two proposals were reviewed and considerable opposition to the lease was expressed by residents in a packed chamber. What became clear was the following:

The city had operated the water company for more than 35 years with no problems. The rates charged to residents were significantly lower than those charged by the two private companies. Somehow the council thought this was "unfair". Rather than challenge the private companies to do better in their operation, they elected to allow them to pay the city a considerable sum, several million dollars, to raise our rates. What also was a deciding factor was that the agreement to transfer the Month Vista Water Company to the city apparently had a proviso that any surplus greeted by the company could only be used to benefit the customers, not the whole city. Despite the low rates the company had built up over a million dollars in reserve funds that the city desperately wanted to get their hand on. This represented about a years company revenue! So by leasing the company the city got the lease's money , and this reserve.

The city attorney represented that tis was legal. Since it appeared those in objection were going to loose, I sought to minimize the damage: I suggested that at least the city do two things:

- 1, lay off the one an a half employees that operated the company to save money - they said "Oh no, we will and other things for them to do"
- 2, give the contract to the bidder who forecast lower rates for the customer, not the one who paid the city more up front money. This met with some agreement on the council, and within a minute it was approved by a 3 to 2 vote.

The meeting broke up, and I was approached by a suited gentlemen who introduced himself as a San Jose Water executive. He told me that what I did not know was this was a done deal with Cal Water. The pretense of open bidding was to satisfy the legal requirements. Now he had to get busy and actually prepare to take over the system - they had done no pre-work.

My concerns today:

I see the city staff report contains the same type of arguments as the one 24 years ago. I challenge the statements in option 3, City Operation. We have 35 years of experience in operating the system successfully, and more cheaply than the private companies. The lease was not justified at all by any stories of high costs of operation, or inability to find qualified staff. It ran just fine. It was also acknowledged that in leasing the company we would no longer qualify for any State or Federal grants usually available for small utilities to use in needed capital investments. The reason for the lease was purely to get city hands on the excess reserve funds.

Now I see the criteria for evaluation of proposals again based on the amount of money the city can get out the the lessee. Yes I see the phrase "best qualified to continue to provide equal or better service to the customers of the system" , but you have given away any control over pricing - the most direct benefit to the customer.

What I am asking:

- 1) Seriously consider operating the water company - we operate the sewer system efficiently every day, why not the water company? Find the employees who used to run it! A proper proposal should be considered, not this paragraph 3 that has no data to base its fear of taking responsibility.
- 2) Change your evaluation criteria to make benefits to those served by the water company an important part of the decision up front, not wait for the late persuasive arguments as in 1997.

3) actively pursue operators other than Cal Water and SJ Water. The City of Sunnyvale was suggested as a possibility by Councilor Sinks in 2019. Just putting RFPs in the paper is not enough,

Please remember that every dollar the city takes in from granting the lease, and operating the system comes from the pockets of the 4,500 residents that are served, not some magical entity lessee who can print money.

Cyrah Caburian

From: Jean Bedord <Jean@bedord.com>
Sent: Tuesday, July 20, 2021 9:25 PM
To: City Clerk
Subject: July 20, 2021 Agenda Item #23, Cupertino Water System

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include my oral public comments in Written Communications:

Good evening, Mayor Paul, honorable council members, staff and. welcome to interim city manager Greg Larson.

My name is Jean Bedord and I am a resident of Cupertino. I am here to comment on options for the continued lease, sale or city operation of the water system owned by the city of Cupertino.

I agree with staff recommendation to pursue continuation of a lease at this time. However, I would urge the city to considering limiting that lease to 10 years rather than 20 years.

My concern is that the environment for utilities is in flux. San Jose Water Company was acquired by Connecticut Water Services in 2019. Further consolidation may occur in the future. The economics of water utilities, as well as other utilities are changing. Ten years covers 2 council cycles; 20 years covers 4 council cycles....I question binding future councils that far into the future.

In addition, this asset is valued at \$55 million in 2018. It will provide minimal revenue to the city – it's simply a service. And frankly, it doesn't make sense to me to have three, yes, three separate water companies for a city the size of Cupertino.

Is this the best use of city resources at a time when our infrastructure and most of our municipal buildings are aging and need deferred maintenance, as well as expansion to accommodate future city growth? Sale of the property is quite complicated, and would take four years or so to accomplish. So in addition to continuing the lease arrangement, can the city begin getting the authorizations to potentially sell the water system?

I urge you to approve the staff recommendation for 10 years, but adding guidance to initiate steps to consider sale of the water service.

Thank you for your consideration.

Jean Bedord

CC 07-20-21

#25

Community
Relations
Coordinator

Written Comments

Cyrah Caburian

From: Jean Bedord <Jean@bedord.com>
Sent: Sunday, July 25, 2021 2:49 PM
To: City Council; Cupertino City Manager's Office; Kenneth Ericksen; Thomas Chin
Subject: Feedback on Agenda Item #25, Community Relations Coordinator (Block Leader) Reorganization

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Mayor Paul and council members, City manager and staff,

I fully support the staff recommendations presented at the city council meeting on Tues. night. I attended not only the city council meeting, but July 12, 2021 Zoom meeting for Block Leaders. Reorganizing the Block Leader, Neighborhood Watch, and Citizen Corp programs under the umbrella of the Office of Emergency Management makes a lot of sense to me. During the power outages, the Citizen Corp did an excellent job, but did not leverage Block Leaders because they were in a different organization. There will be more power outages and fires, as well as a potential earthquake, so the entire city needs to be prepared.

I was dismayed by the council deliberations. The Block Leader program is a good program for fostering relationships between neighbors, NOT a channel for city discourse. My designated Block Leader area is **23 homes**, consistent with social groups. However, on Nextdoor, I can post an announcement / comment / tips and reach **4,238 neighbors** just in the Monta Vista neighborhood. This represents 3,871 households or 67% of all households in the area. I generally post to all adjacent neighborhoods, some of which are in Sunnyvale and Los Altos, as well as Cupertino, to reach over 20,000 Nextdoor neighbors. Block Leader is not scalable to this level, but could be expanded to meet the needs of our aging population (1 in 3 households in Cupertino has a resident over the age of 60). Social isolation during the pandemic was a major issue for our seniors, and that need will continue.

The city already has agency status with Nextdoor, so it reaches all of Cupertino. City presence has significantly improved in the last couple years, with more frequent postings. The city can see comments on its direct posts, though not neighborhood chatter about other topics. Encouraging volunteers to be more active on Nextdoor should be encouraged.

My neighbors have no hesitation in posing questions about city services on Nextdoor, and there is always someone who can provide a good answer and reference to the city website, which has a wealth of information. There are 3 particularly useful features:

- * Daily Nextdoor Digest delivered to email
- * Urgent Alert which goes to registered cell phones as well as online Nextdoor.
- * Ask A Neighbor

I've been on Nextdoor for several years as a lead, so would be happy to make a presentation to encourage volunteers to be more active in this communication channel.

BTW, I question spending over an hour and a half on the dais wrangling over what should have been a routine budget adjustment, NOT an evaluation of the Block Leader program. This left only half an hour at the very end of the meeting (council reports got more attention) to discuss the far more important internal audit report, including those sections directly relating to city council operating at an operational level, rather than a strategic level. Isn't it time to manage meetings more efficiently? Finishing by midnight is commendable, but time spent on the dais in prolonged discussion of low priority items also needs to be managed so agenda items do not need to be continued to additional meetings.

Regards,
Jean Bedord

CC 07-20-21

#26

Internal Audit Plan
for FY 2021-22

Written Comments

Cyrah Caburian

From: Peggy Griffin <griffin@compuserve.com>
Sent: Tuesday, July 20, 2021 8:14 PM
To: Kirsten Squarcia
Cc: City Council; Cupertino City Manager's Office
Subject: 2021-07-20 CC Mtg: Agenda Item 26 - Peggy's Slides
Attachments: ITEM 26-Audit Process Problem to Fix-Peggys Slide.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kirsten,

I plan to speak on Agenda Item #26 - Internal Audit Plan.

If you could show these 2 pages when I speak I would appreciate it.

Thank you,
Peggy Griffin

Example of Contract Invoice submittal and payment problems

HDL Invoices and Payments

Invoice Date	Invoice #	Invoice Amt	Delivery Method	Attn:	Received Date	Received by	Approved by:	Approved Date	Paid Date	Amount Paid
12/31/2019	0032867-IN	\$25,980.00	EMAIL	Kristina Alfaro	8/23/2020!!	Angela Tsui (Routed to CMO and Finance)			8/28/2020!!	\$25,980.00
3/26/2020	0033519-IN	\$51,000.00	MAIL	Kristina Alfaro	6/4/2020!!	Zach Korach	Zach Korach, Finance Mgr	6/4/2020	6/12/2020	\$51,000.00
6/30/2020	SIN002352	\$60,520.00	EMAIL	Finance Dept	8/23/2020!!	Angela Tsui (Routed to CMO and Finance)			8/28/2020	\$60,520.00
7/31/2020	SIN002991	\$28,290.00	EMAIL	Kristina Alfaro	8/24/2020!!	Kristina Alfaro (routed to CMO on 8/24/20)			5/21/2021!!	\$28,290.00
9/30/2020	SIN004092	\$47,770.00	EMAIL	Kristina Alfaro	10/14/2020	Kristina Alfaro (routed to Finance for processing on 10/14/20)	Zach Korach, Finance Mgr	10/14/2020	10/16/2020	\$47,770.00
11/30/2020	SIN005226	\$47,820.00	EMAIL	City of Cupertino	12/8/2020	Kristina Alfaro			5/21/2021!!	\$47,840.00
12/31/2020	SIN006203	\$17,000.00	EMAIL	City of Cupertino	1/25/2021	Kristina Alfaro (routed to CDD on 1/25/21)			5/21/2021!!	\$17,000.00
3/31/2021	SIN008203	\$43,350.00	EMAIL	City of Cupertino						

ITEM 26 – Internal Audit Plan for FY 2021-22

REQUEST:

- 1) 3rd party contractor invoice submittal, approval and payment procedures clarified/tightened up
- 2) Put procedures in place to
 - a) Prevent submittal/approval of payments that exceed contracted amounts.
 - b) Require Accounts Payable Reports submitted to City Council within a month.

CC 7/20/21

Study Session Item #27
2021 Drought Condition
Information

Written Communications

Schedule No. 14.1

Page 1

WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

California Water Service's ("Cal Water") supply of water may be interrupted or reduced due to a variety of circumstances, for instance, in response to a drought or other catastrophic event. This Schedule builds upon Cal Water's Rule 14.1 and provides it with additional means to achieve necessary reductions in water use.

A. APPLICABILITY

1. This schedule applies to all of California Water Service's regulated ratemaking areas in California, as well as Grand Oaks Water.

B) GENERAL INFORMATION

1. All expenses incurred by California Water Service to implement Rule 14.1, and Schedule 14.1, that have not been considered in a General Rate Case or other proceeding shall be accumulated by Cal Water in a separate memorandum account, authorized by the Commission, for disposition as directed or authorized from time to time by the Commission.
2. All monies collected by Cal Water through waste of water penalties established in this schedule shall be recorded in the appropriate memorandum account and used to offset the expenses described in Section 1 above.
3. Except in the case of Grand Oaks, all monies collected by Cal Water through drought surcharges, as established by the Mandatory Budgets found in Schedule 14.1, shall be recorded in the appropriate Water Revenue Adjustment Mechanism ("WRAM") account and used to offset under-collected revenues.
4. To the extent that any provision in this Schedule is inconsistent with Rule 14.1, the provisions of this Schedule apply.

C) DEFINITIONS

For the purposes of this Schedule, the following terms have the meanings set forth in this section. (These are the same as in Rule 14.1, unless otherwise specified.)

1. "Commercial nursery" means the use of land, buildings or structures for the growing and/or storing of flowers, fruit, trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot.

(Continued)

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Schedule No. 14.1

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

C) DEFINITIONS (continued)

2. "Drip irrigation system" means a non-spray, low-pressure, and low volume irrigation system utilizing emission devices with a precipitation or flow rate measured in gallons per hour (GPH), designed to slowly apply small volumes of water at or near the root zone of plants or other landscaping. (L)
3. "Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute (GPM), gallons per hour (GPH), inches per hour (IPH), hundred cubic feet (Ccf), or cubic feet per second (CFS).
4. "Flow-restricting device" means valves, orifices, or other devices that reduce the flow of potable water through a service line, which are capable of providing the premise with a minimum flow rate of 0.5 gallons per minute. (C)
(C)
5. "High-efficiency sprinkler systems" means an irrigation system with emission devices, such as sprinkler heads or nozzles, with a precipitation or flow rate no greater than one IPH.
6. "Irrigation" means the application of potable water by artificial means to landscape.
7. "Irrigation system" means the components of a system meant to apply water to an area for the purpose of irrigation, including, but not limited to, piping, fittings, sprinkler heads or nozzles, drip tubing, valves, and control wiring.
8. "Landscape" means all of the outdoor planting areas, turf areas, and water features at a particular location.
9. "Measurable rainfall" means any amount of precipitation of more than one-quarter of an inch (0.25"). (C)
(C)
10. "Micro spray irrigation system" means a low-pressure, low-volume irrigation system utilizing emission devices that spray, mist, sprinkle, or drip with a precipitation or flow rate measured in GPH, designed to slowly apply small volumes of water to a specific area.
11. "Ornamental landscape" means shrubs, bushes, flowers, ground cover, turf, lawns, and grass planted for the purpose of improving the aesthetic appearance of property, but does not include crops or other agricultural products or special landscape areas.
12. "Ornamental turf" means a ground cover surface of grass that can be mowed and is planted for the purpose of improving the aesthetic appearance of the property, but does not include crops or other agricultural products or special landscape areas.
13. "Plumbing fixture" means a receptacle or device that is connected to a water supply system, including, but not limited to, pipes, toilets, urinals, showerheads, faucets, washing machines, water heaters, tubs, and dishwashers. (L)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

C) DEFINITIONS (continued)

(L)

14. "Potable water" means water supplied by Cal Water which conforms to the federal and state standards for human consumption.
15. "Properly programmed" means a smart irrigation controller that has been programmed according to the manufacturer's instructions and site-specific conditions.
16. "Real-time water measurement device" means a device or system that provides regularly updated electronic information regarding the customer's water use.
17. "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape onto other areas.
18. "Smart irrigation controller" means an automatic device used to remotely control valves that operate an irrigation that has been tested by an American National Standards Institute accredited third-party certifying body or laboratory in accordance with the Environmental Protection Agency's WaterSense program (or an analogous successor program), and certified by such body or laboratory as meeting the performance and efficiency requirements of such program, or the more stringent performance and efficiency requirements of another similar program.
19. "Special landscape area" means an area of landscape dedicated solely to edible plants and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
20. "Turf" means a ground cover surface of grass that can be mowed.
21. "Water feature" means a design element where open, artificially supplied water performs an aesthetic or recreation feature, including, but not limited to, ponds, lakes, waterfalls, fountains, and streams.
22. "Water use evaluation" means an evaluation of the efficiency of indoor water-using devices, including, but not limited to, measurement of flow rates for all existing showerheads, faucets, and toilets, inspection for leaks, and providing written recommendations to improve the efficiency of the indoor water-using fixtures and devices and/or an evaluation of the performance of an irrigation system, including, but not limited to, inspection for leaks, reporting of overspray or runoff, and providing written recommendations to improve the performance of the irrigation system.

D) WASTE OF WATER PENALTIES

Each Stage of this Schedule establishes certain restrictions on the use of potable water. Violating the restrictions set forth in a particular Stage while it is in effect is declared a non-essential, wasteful use of potable water.

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

D) WASTE OF WATER PENALTIES (continued)

(L)

Cal Water is authorized to take the following actions when its personnel verify a customer is using potable water for non-essential, wasteful uses. No person shall have any right or claim in law or in equity against Cal Water because of, or as a result of, any matter or thing done or threatened to be done pursuant to the restrictions on using potable water for non-essential, wasteful uses. When a Stage in this Schedule has been activated, Section D in this Schedule supersedes Section D (Enforcement) in Rule 14.1.

(T)

1. FIRST VIOLATION

Cal Water shall provide the customer with a written notice of violation. In addition, Cal Water is authorized to take the following actions:

- a) If the customer currently receives service through a metered connection, install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and on-going operating costs, may be billed to the customer, and nonpayment may result in discontinuation of service.
- b) If the customer does not currently receive service through a metered connection, install a water meter on the customer's service line, charge the customer for water use pursuant to Cal Water's metered service tariffs and rules, and install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and ongoing operating costs, may be billed to the customer, and nonpayment may result in discontinuance of service.

2. SECOND VIOLATION

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the first violation, Cal Water shall provide the customer with a second written notice of violation. In addition to the actions prescribed under the first violation above, Cal Water is authorized to take the following actions:

- a) Apply the following waste of water penalties which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs.
 - (i) If Stage 1 is in effect, \$25 (Stage 1 is detailed in Section E)
 - (ii) If Stage 2 is in effect, \$50 (Stage 2 is detailed in Section F)
 - (iii) If Stage 3 is in effect, \$100 (Stage 3 is detailed in Section G)

(L)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES**D) WASTE OF WATER PENALTIES (continued)**

(L)

2. SECOND VIOLATION (continued)

- a) Apply the following waste of water penalties which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs. (continued)

...

(iv) If Stage 4 is in effect, \$200 (Stage 4 is detailed in Section H)

(v) If Stage 5 is in effect, \$400 (Stage 5 is detailed in Section I)

(N)

(vi) If Stage 6 is in effect, \$800 (Stage 6 is detailed in Section J)

(N)

- b) At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and agrees to the recommendations provided.

(C)

(C)

3. THIRD VIOLATION

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the second violation, Cal Water shall provide the customer with a third written notice of violation. In addition to the actions prescribed under the first and second violation above, Cal Water is authorized to take the following actions:

- a) Apply the following waste of water penalties, which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs:

(i) If Stage 1 is in effect, \$50 (Stage 1 is detailed in Section E)

(ii) If Stage 2 is in effect, \$100 (Stage 2 is detailed in Section F)

(iii) If Stage 3 is in effect, \$200 (Stage 3 is detailed in Section G)

(iv) If Stage 4 is in effect, \$400 (Stage 4 is detailed in Section H)

(v) If Stage 5 is in effect, \$800 (Stage 5 is detailed in Section I)

(N)

(vi) If Stage 6 is in effect, \$1,600 (Stage 6 is detailed in Section J)

(N)

- b) At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and agrees to the recommendations provided.

(C)

(C)

4. FOURTH VIOLATION

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the third violation, Cal Water shall provide the customer with a fourth notice of violation. In addition to actions set forth in the previous violations prescribed above, Cal Water is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flow restricting device.

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

D) WASTE OF WATER PENALTIES (continued)

(L)

5. EGREGIOUS VIOLATIONS

Notwithstanding the foregoing framework for penalties, customers who Cal Water has verified are egregiously using potable for non-essential, wasteful uses are subject to having a flow-restricting device installed on their service line. After providing the customer with one written notice of egregious violation which documents the egregious use of potable water for non-essential, wasteful uses and explains that failure to correct the violation may result in the installation of a flow-restricting device on the customer's service line, Cal Water is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flow-restricting device.

(C)

(C)

6. NOTICES OF VIOLATION

- a) Unless otherwise specified, written notices of violation provided to customers pursuant to this Schedule shall document the verified violation and alert the customer to the fact that future violations of the restricted uses of potable water may result in a real-time water measurement device being installed on the customer's service line at the customers expense, waste of water penalties being applied to the customer's bill, the installation of a flow-restricting device on the customer's service line, or the discontinuation of the customer's service.
- b) If Cal Water elects to install a flow-restricting device on a customer's service line, the written notice shall document the steps the customer must take in order for the follow-restricting device to be removed, and shall explain that after the flow-restricting device is removed, it may be reinstalled, without further notice, if the customer is again verified by Cal Water to be using potable water for non-essential, wasteful uses.

(T)

7. FLOW RESTRICTING DEVICE CONDITIONS

The installation of a flow-restricting device on a customer's service line is subject to the following conditions:

- a) The device shall be capable of providing the premise with a minimum flow rate of 0.5 gallons per minute.
- b) The device may only be removed by Cal Water, and only after a minimum three-day period has elapsed.

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

D) WASTE OF WATER PENALTIES (continued)

(L)

7. FLOW RESTRICTING DEVICE CONDITIONS (continued)

- c) Any tampering with the device may result in the discontinuation of the customer's water service and the customer being charged for any damage to Cal Water's equipment or facilities and any required service visits.
- d) After the removal of the device, if Cal Water's personnel verify that the customer is using potable water for non-essential, wasteful uses, Cal Water may install another flow-restricting device without prior notice. This device shall remain in place until water supply conditions warrant its removal. If, despite the installation of the device, Cal Water's personnel verifies that the customer is using potable water for non-essential, wasteful uses, then Cal Water may discontinue the customer's water service, as provided in its Rule No. 11.

8. FLOW RESTRICTING DEVICE REMOVAL CHARGES

The charge to customers for removal of a flow-restricting device installed pursuant to this Schedule is \$100 during normal business hours, and \$150 for the device to be removed outside of normal business hours.

E) STAGE ONE WATER USE RESTRICTIONS

1. WASTEFUL USES OF WATER (STAGE 1)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

- a) Outdoor Irrigation Restrictions (Stage 1)
 - (i) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.
 - (ii) The foregoing irrigation restriction does not apply to:
 - (1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
 - (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

(D)

(L)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

E) STAGE ONE WATER USE RESTRICTIONS (continued)

(L)

1. WASTEFUL USES OF WATER (STAGE 1) (continued)

- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
 - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - (ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
 - (iii) The application of potable water to driveways and sidewalks;
 - (iv) The use of potable water in a water feature, except where the water is part of a recirculating system;
 - (v) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
 - (vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
 - (vii) The serving of drinking water other than upon request in eating and/or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

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(T)

(T)

(D)

(D)

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Advice Letter 2412

Decision

Issued By

Greg A. Milleman

Vice President

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Date Filed

Effective

Resolution

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

F) STAGE TWO WATER USE RESTRICTIONS

(L)

1. WASTEFUL USES OF WATER (STAGE 2)

(C)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

a) Outdoor Irrigation Restrictions (Stage 2)

(i) Irrigating ornamental landscapes with potable water is limited to no more than three (3) days per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email.

(1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.

(ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

(iii) The foregoing irrigation restrictions do not apply to:

(1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;

(2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

(iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.

b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.

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(To be inserted by utility)

Issued By

(To be inserted by CPUC)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

F) STAGE TWO WATER USE RESTRICTIONS (continued)

(C)

1. WASTEFUL USES OF WATER (STAGE 2) (continued)

- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
 - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - (ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
 - (iii) The application of potable water to driveways and sidewalks;
 - (iv) The use of potable water in a water feature, except where the water is part of a recirculating system;
 - (v) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
 - (vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
 - (vii) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

(C)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

G) STAGE THREE WATER USE RESTRICTIONS

(L)

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 3)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

(C)

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

(C)

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 3 of this Schedule.

(N)

(N)

2. WASTEFUL USES OF WATER (STAGE 3)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

(D)

a) Outdoor Irrigation Restrictions (Stage 3)

- (i) Irrigating ornamental landscapes with potable water is limited to no more than three (3) days per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email.

(C)

(D)

- (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.

(T)

- (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

- (iii) The foregoing irrigation restrictions do not apply to:

- (1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;

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WATER SHORTAGE CONTINGENCY PLAN
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G) STAGE THREE WATER USE RESTRICTIONS (continued)

(L)

2. WASTEFUL USES OF WATER (STAGE 3) (continued)

a) Outdoor Irrigation Restrictions (Stage 3)(continued)

(iii) The foregoing irrigation restrictions do not apply to: (continued)

...

(2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

(iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.

(T)

(T)

b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within three (3) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.

(C)

c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:

(i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(T)

(ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(T)

(iii) The application of potable water to driveways and sidewalks;

(iv) The use of potable water in a water feature, except where the water is part of a recirculating system;

(v) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);

(T)

(vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.

(T)

(L)(T)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

G) STAGE THREE WATER USE RESTRICTIONS (continued)

2. WASTEFUL USES OF WATER (STAGE 3) (continued)

- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)
...
(vii) The serving of drinking water other than upon request in eating and/or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
(viii) Irrigation of ornamental turf on public street medians with potable water;
(ix) Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible);
(x) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or method can be used.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.
- h) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

H) STAGE FOUR WATER USE RESTRICTIONS

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 4)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

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(L)

(T)

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

H) STAGE FOUR WATER USE RESTRICTIONS (continued)

(L)

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 4) (continued)

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

(C)
(C)

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 4 of this Schedule.

(N)
(N)

2. WASTEFUL USES OF WATER (STAGE 4)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

a) Outdoor Irrigation Restrictions (Stage 4)

(D)
(C)

(i) Irrigating ornamental landscapes with potable water is limited to no more than two (2) days per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows:

(1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.

(ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

(iii) The foregoing irrigation restrictions do not apply to:

(1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;

(2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

(L)(C)

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WATER SHORTAGE CONTINGENCY PLAN
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H) STAGE FOUR WATER USE RESTRICTIONS (continued)

(L)

2. WASTEFUL USES OF WATER (STAGE 4) (continued)

a) Outdoor Irrigation Restrictions (Stage 4) (continued)

...

(iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.

b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within two (2) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.

(C)

c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:

(i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(ii) The application of potable water to driveways and sidewalks;

(iii) The use of potable water in a water feature, except where the water is part of a recirculating system;

(iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);

(T)

(v) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.

(N)

(N)

(vi) The serving of drinking water other than upon request in eating and/or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(T)

(vii) Irrigation of ornamental turf on public street medians with potable water;

(N)

(viii) The use of potable water to fill or refill decorative fountains or pools;

(ix) The use of potable water for recreational facilities such as water parks;

(x) Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible);

(L)(N)

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H) STAGE FOUR WATER USE RESTRICTIONS (continued)

(L)

2. WASTEFUL USES OF WATER (STAGE 4) (continued)

- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)
...
(xi) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or method can be used.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.
- h) Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems.
- i) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

(T)
(T)

(N)

(N)

(T)

(N)

(N)

(L)

I) STAGE FIVE WATER USE RESTRICTIONS

(C)

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 5)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

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WATER SHORTAGE CONTINGENCY PLAN
WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES**I) STAGE 5 WATER USE RESTRICTIONS (continued)**

(N)

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 5) (continued)

...

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 5 of this Schedule.

2. WASTEFUL USES OF WATER (STAGE 5)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

a) Outdoor Irrigation Restrictions (Stage 5)

- (i) Irrigating ornamental landscapes with potable water is limited to no more than one (1) day per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows:

- (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.

- (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

- (iii) The foregoing irrigation restrictions do not apply to:

- (1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
- (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

- (iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.

(N)

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WATER SHORTAGE CONTINGENCY PLAN

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I) STAGE FIVE WATER USE RESTRICTIONS (continued)

(N)

2. WASTEFUL USES OF WATER (STAGE 5) (continued)

...

- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within one (1) business day of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
 - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - (ii) The application of potable water to driveways and sidewalks;
 - (iii) The use of potable water in a water feature, except where the water is part of a recirculating system;
 - (iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
 - (v) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
 - (vi) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - (vii) Irrigation of ornamental turf on public street medians with potable water;
 - (viii) The use of potable water to fill refill decorative fountains or pools;
 - (ix) The use of potable water for recreational facilities such as water parks;
 - (x) Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes;
 - (xi) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.

(N)

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I) STAGE FIVE WATER USE RESTRICTIONS (continued)

(N)

2. WASTEFUL USES OF WATER (STAGE 5) (continued)

...

- e) New and existing connections may not install or utilize single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited.
- h) Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems.
- i) Pool covers are required for all pools and spas.
- j) New service connections must result in a net zero demand increase.
- k) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

J) STAGE SIX WATER USE RESTRICTIONS

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 6)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 6 of this Schedule.

2. WASTEFUL USES OF WATER (STAGE 6)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

(N)

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WATER SHORTAGE CONTINGENCY PLAN
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J) STAGE SIX WATER USE RESTRICTIONS (continued)

(N)

2. WASTEFUL USES OF WATER (STAGE 6) (continued)

...

- a) Outdoor Irrigation Restrictions (Stage 6)
 - (i) Irrigating ornamental landscapes with potable water is prohibited.
 - (ii) Notwithstanding the foregoing irrigation restriction, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.
- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within one (1) business day of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
 - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - (ii) The application of potable water to driveways and sidewalks;
 - (iii) The use of potable water in a water feature, except where the water is part of a recirculating system;
 - (iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
 - (v) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - (vi) The use of potable water to fill or refill decorative fountains or pools;
 - (vii) The use of potable water for recreational facilities such as water parks;
 - (viii) Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes;
 - (ix) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.

(N)

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J) STAGE SIX WATER USE RESTRICTIONS (continued)

(N)

2. WASTEFUL USES OF WATER (STAGE 6) (continued)

...

- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited.
- h) Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems;
- i) Pool covers are required for all pools and spas.
- j) New service connections shall not be allowed.
- k) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

(N)

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