

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO: A.) APPLY FOR AND TAKE ALL NECESSARY ACTIONS NEEDED TO FULFILL GRANT REQUIREMENTS OF THE CALIFORNIA DEPARTMENT OF WATER RESOURCES URBAN STREAMS RESTORATION PROGRAM IN THE AMOUNT OF \$900,000, OR OTHER AMOUNT AWARDED; B.) NEGOTIATE AND EXECUTE ANY GRANT DOCUMENTS, PAYMENT AGREEMENTS, AMENDMENTS, AND ANY OTHER RELATED DOCUMENTS NECESSARY TO ACCEPT, RECEIVE, UTILIZE, AND DISBURSE FUNDING, AND TAKE ANY OTHER ACTIONS NECESSARY TO COMPLY WITH THE TERMS AND CONDITIONS OF THE URBAN STREAMS RESTORATION PROGRAM GRANT UPON AWARD; AND C.) NEGOTIATE AND EXECUTE ANY MEMORANDA OF AGREEMENT WITH NONPROFIT ENTITIES ENGAGED IN CREEK CLEANUP ACTIVITIES, WATERSHED STEWARDSHIP, OUTREACH, AND EDUCATION ACTIVITIES TO COMPLY WITH THE TERMS OF THE URBAN STREAMS RESTORATION GRANT

WHEREAS, the California Department of Water Resources (“DWR”) Urban Streams Restoration Program (“USRP”) declared that urban creek protection, restoration, and enhancement are best undertaken by local agencies and organizations with assistance from the State; and

WHEREAS, the USRP funds projects to restore streams affected by urban development to their natural states; and

WHEREAS, in November 2022, the DWR released grant application guidelines and a notice of funding availability, and all applicants must submit a full grant application by November 28, 2024; and

WHEREAS, the City of San José’s (“City”) Environmental Services Department will submit a proposal for a grant award of \$900,000, which will be dispersed over three years and enable the City to continue to achieve its regulatory requirements, improve water quality, engage the community through partnerships with nonprofits, and, ultimately, restore designated riparian areas through the reduction of contaminants within the creeks and natural habitats; and

WHEREAS, under San José Municipal Code Section 1.04.080 whenever a power is granted to a public officer or employee, unless the city Charter or this code expressly provides otherwise, the power may be exercised or the duty may be performed by a deputy or designee of such officer or employee or by any person so authorized by law or ordinance; and

WHEREAS, the City Manager designated the authority to certain individuals to apply for, negotiate, and execute contracts, grants, and all other related documents on her behalf, including without limitation, Sarah Zarate;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager or her designee is hereby authorized to:

- A.) Apply for and take all necessary actions needed to fulfill grant requirements of the California Department of Water Resources Urban Streams Restoration Program in the amount of \$900,000, or other amount awarded;
- B.) Negotiate and execute any grant documents, payment agreements, amendments, and any other related documents necessary to accept, receive, utilize, and disburse funding, and take any other actions necessary to comply

with the terms and conditions of the Urban Streams Restoration Program grant upon award; and

- C.) Negotiate and execute any memoranda of agreement with nonprofit entities engaged in creek cleanup activities, watershed stewardship, outreach, and education activities to comply with the terms of the Urban Streams Restoration grant.

ADOPTED this _____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk