

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO (A) NEGOTIATE AND EXECUTE A GRANT AGREEMENT AND OTHER RELATED DOCUMENTS WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO FUND THE CLEAN CREEKS, HEALTHY WATERSHEDS PROJECT IF AWARDED FOR THE TERM OF JULY 1, 2021 THROUGH JUNE 30, 2025, WITH A GRANT TO THE CITY IN THE AMOUNT OF \$1,540,000, AT A COST TO THE CITY OVER THE TERM OF THE AGREEMENT OF \$1,540,000, AND (B) NEGOTIATE AND EXECUTE AGREEMENTS UPON AWARD OF THE GRANT WITH: (1) KEEP COYOTE CREEK BEAUTIFUL, A NON-PROFIT 501(C)(3) CORPORATION, FOR THE TERM JULY 1, 2021 THROUGH JUNE 30, 2025, TO CONDUCT VOLUNTEER TRASH CLEANUPS AND COMMUNITY OUTREACH AND EDUCATION IN AN AMOUNT NOT TO EXCEED \$500,000, AND (2) SOUTH BAY CLEAN CREEKS COALITION, A NON-PROFIT 501(C)(3) CORPORATION, FOR THE TERM JULY 1, 2021 THROUGH JUNE 30, 2025, TO CONDUCT VOLUNTEER TRASH CLEANUPS AND COMMUNITY OUTREACH AND EDUCATION IN AN AMOUNT NOT TO EXCEED \$500,000

WHEREAS, trash is a significant water quality issue in the Coyote and Guadalupe watersheds and the Municipal Regional National Pollutant Discharge Elimination System Stormwater Permit (“Stormwater Permit”) requires the City to demonstrate significant reductions; and

WHEREAS, in 2011, the City of San José (“City”) implemented the Clean Creeks, Healthy Communities project which established the framework for the City’s current programming to address trash in local waterways, and was funded through the Environmental Protection Agency (“EPA”) San Francisco Bay Water Quality Improvement Fund (“SFBWQIF”) which provides grants to multi-benefit projects that significantly improve water quality and watershed resiliency; and

WHEREAS, in response to a Request for Applications from February 2020, the City applied for an EPA SFBWQIF grant; and

WHEREAS, as Fiscal Year 2021 appropriated funds became available, the EPA notified the City in January 2021 that the Clean Creeks, Healthy Watersheds Project (“Project”) would receive full funding; and

WHEREAS, the Project will bring together a collaboration of community groups, volunteers, non-profits, and City departments to holistically reduce trash in Coyote Creek, Guadalupe River, and Los Gatos Creek; and

WHEREAS, the purpose of the Project is to demonstrate the efficacy of an integrated, multidisciplinary approach to reducing trash in urban creeks and to build on existing efforts to remove trash and improve water quality; and

WHEREAS, as such, the Project will build on the City’s existing Direct Discharge Trash Control Program, implemented under the City's Stormwater Permit, which focuses on reducing trash accumulation and water quality issues that emanate from unhoused communities along targeted project areas; and

WHEREAS, the total estimated cost to implement the Project over four years is \$3,080,000 and the EPA requires a 50% match to the award amount; and

WHEREAS, the EPA grant will award \$1,540,000 to the City and the 50% matching funds will come from existing and proposed City programs and agreements; and

WHEREAS, the City desires to authorize the City Manager to negotiate and execute grant agreements with the EPA, Keep Coyote Creek Beautiful, and South Bay Clean

Creeks Coalition, which will allow the City to accept grant funds and use local matching funds to implement the Project, which will allow for substantial progress with reducing trash that results from unhoused communities in Coyote Creek, Guadalupe River, and Los Gatos Creek, and foster greater community awareness of local watersheds and their environmental significance;

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

The City Manager is hereby authorized to:

- A. Negotiate and execute a grant agreement and other related documents with the United States Environmental Protection Agency to fund the Clean Creeks, Healthy Watersheds Project if awarded for the term of July 1, 2021 through June 30, 2025, with a grant to the City in the amount of \$1,540,000, at a cost to the City over the term of the Agreement of \$1,540,000; and

- B. Negotiate and execute agreements upon award of the grant with:
 - (i) Keep Coyote Creek Beautiful, a non-profit 501(c)(3) corporation, for the term July 1, 2021 through June 30, 2025, to conduct volunteer trash cleanups and community outreach and education in an amount not to exceed \$500,000; and

 - (ii) South Bay Clean Creeks Coalition, a non-profit 501(c)(3) corporation, for the term July 1, 2021 through June 30, 2025, to conduct volunteer trash cleanups and community outreach and education in an amount not to exceed \$500,000.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk