



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: November 16, 2021

Approved

Date

11/19/21

SUBJECT: ACTIONS RELATED TO THE FUNDING AGREEMENT BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND CITY OF SAN JOSE FOR THE COYOTE CREEK TRAIL PATROL PROGRAM

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager to:
 - (1) Negotiate and execute an agreement for the Coyote Creek Trail Patrol Program with the Santa Clara Valley Water District in the amount of \$400,000 for the initial term (January 1, 2022 to December 31, 2022); and
 - (2) Exercise up to 4 one-year extensions for a total not-to-exceed amount of \$2,000,000, subject to the appropriation of funds.

- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
 - (1) Increase the estimate for Revenue from Local Agencies by \$400,000; and
 - (2) Increase the Coyote Creek Trail Patrol City-Wide Expenses appropriation to the Police Department by \$400,000.

OUTCOME

Approval of this recommendation allows the City Manager to negotiate and execute an agreement for the Police Department to provide law enforcement services for the Coyote Creek Trail Patrol Program in collaboration with Santa Clara Valley Water District.

BACKGROUND

The Parks, Recreation and Neighborhood Services (PRNS) Department began construction of the Coyote Creek Trail between William Street and Tully Road in late 2020 and it is anticipated that the William-Story and Story-Phelan reaches will be completed by the end of November 2021, with trail usage expected to increase. The extended trail system creates an inviting destination for runners, walkers, cyclists, nature lovers, and others who currently do not frequent the area. The future Phelan-Tully trail reach is expected to be completed in a few years. This portion of the creek near the new trail reaches is presently the site of numerous homeless camps along its banks. The trail's design was guided by principles of Crime Prevention Through Environmental Design (CPTED). An outreach effort will be conducted to contact unhoused persons and offer them housing and other services. Nevertheless, a law enforcement presence on the trail may be necessary to ensure that the users of this project feel safe and enjoy the time they spend there.

To supplement the law enforcement presence, PRNS has created a Trail Safety Plan that will deploy the San José Conservation Corps under the oversight of Park Rangers. With funding support from a State grant and the City's Resilience Corps, the San José Conservation Corps' primary role would be as "eyes on the trail" and will provide visitor services, report large repair and maintenance issues to PRNS, and light landscaping and maintenance along the trail to maintain clear lines of sight and a clean landscape that welcomes visitors and supports a sense of safety through maintenance of the environment. The San José Conservation Corps is expected to have a presence at least five days per week and is tasked to observe and report conditions to 911 for emergencies or to a consortium of service partners for non-emergencies, including Park Concerns, BeautifySJ, Homeless Concerns and Park Rangers, as appropriate, based on a service matrix that PRNS developed.

ANALYSIS

The Santa Clara Valley Water District and City are recommending the establishment of the Coyote Creek Trail Patrol Program for a 3-mile stretch between William Street and Tully Road on a one-time basis. The trail lies mostly within the San José Police Department District Lincoln, the busiest Patrol District in the City. Typical Patrol units cannot reasonably be expected to maintain a sustained presence on the creek trail due to their need to respond to calls for service. For Officers to both access the trail and cover adequate distances quickly, the Officers should ride bicycles for this assignment. The trail will likely see maximum use in the morning, midday during the lunch hour, and in the evening after work. A 10-hour shift between 10:00am and 8:00pm is initially proposed as it would provide Officers on the trail during the most critical hours; however, the hours of deployment will be adjusted as needed. Staff plans to coordinate regularly with PRNS to best leverage the San José Conservation Corps presence as part of the Trail Safety Plan.

For the Coyote Creek Trail Patrol Program, it is proposed that the Santa Clara Valley Water District and the City equally share the cost of the program which is projected to be \$800,000 for 1 year. This cost is estimated to be 2 Officers per day for a 10-hour shift, 7 days per week. As

part of the 2020-2021 Annual Report¹, which was approved by the City Council on Tuesday, October 19, 2021, the City brought forward a budget action to allocate \$400,000 for its share of the Coyote Creek Trail Patrol Program. The other \$400,000 would be funded by this reimbursement agreement with the Santa Clara Valley Water District and is recommended to be recognized and appropriated as part of this memorandum.

The proposed agreement with the Santa Clara Valley Water District funds on a reimbursement basis of \$400,000 for the Coyote Creek Trail Patrol Program. A draft agreement is attached for review. The agreement would be valid for 1 year starting January 1, 2022 or until funding is depleted. This agreement may be renewed subject to the appropriation of funds from the Santa Clara Valley Water District and the City. The Administration will evaluate and review this program for potential future year funding as part of the 2022-2023 budget development process.

CONCLUSION

This collaboration with Santa Clara Valley Water District and the City will provide increased law enforcement services along a select portion of the Coyote Creek Trail within City limits.

EVALUATION AND FOLLOW-UP

After the execution of this agreement, the Department may provide program updates as needed to City Council through its Police Department Operations and Performance Bi-Monthly Status Report to the Public Safety, Finance and Strategic Support Committee.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH/INTEREST

This memorandum will be posted on the City's website for the November 30, 2021, City Council Agenda.

¹ Link to 2020-2021 Annual Report, Coyote Creek Trail Patrol budget action on page 113:
<https://www.sanjoseca.gov/home/showpublisheddocument/77783/637691098990430000>

COORDINATION

This memorandum has been coordinated with the Parks, Recreation and Neighborhood Services Department and the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

This item does not have input from any board or commission.

COST SUMMARY/IMPLICATIONS

The annual cost of the Coyote Creek Trail Patrol program is estimated at \$800,000 and will be funded on a one-time basis with the City and Santa Clara Valley Water District equally contributing \$400,000. Due to the timing of proposed agreement with Santa Clara Valley Water District, the program began on Saturday, November 6, 2021 utilizing the City's portion of the funding. After January 1, 2021, the funds will be charged to Santa Clara Valley Water District. Once the Santa Clara Valley Water District's portion is fully utilized, the remaining balance will be charged to the City until funds are depleted. The Administration will evaluate and review this program for potential future year funding as part of the 2022-2023 budget development process.

BUDGET REFERENCE

The table below identifies the fund and appropriations recommended to be amended as part of this memorandum.

Fund #	Appn. #	Appn. Name	Current Appn.	Rec'd. Budget Action	2021-2022 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	R090	Revenue from Local Agencies	\$21,525,283	\$400,000	131	10/19/2021 Ord 80261
001	218Z	Coyote Creek Trail Patrol	\$400,000	\$400,000	N/A	10/19/2021 Ord 30682

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CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

/s/
ANTHONY MATA
Chief of Police


JIM SHANNON
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2021-2022 monies in excess of those heretofore appropriated therefrom, said excess being at least \$400,000.


JIM SHANNON
Budget Director

For questions, please contact Police Captain Brian Shab at (408) 537-1807.

Attached:
Site Map
Draft Agreement

Coyote Creek Trail Patrol – William Street to Tully Road - Exhibit A

