

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE 2019 SAN FRANCISCO BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LOCAL PROJECT SPONSOR AGREEMENT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS TO EFFECTUATE A GRANT FOR THE RIVER OAKS STORMWATER CAPTURE PROJECT FOR THE TERM ENDING ON OR ABOUT SEPTEMBER 2024

WHEREAS, in November 2014, California voters passed Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, that provides \$510,000,000 for Integrated Regional Water Management (“IRWM”) Planning and Implementation; and

WHEREAS, the IRWM Grant Program is administered by the California Department of Water Resources (“DWR”), and provides funds to local public agencies and non-profit organizations for projects that improve and protect water supply and quality using regional strategies; and

WHEREAS, in 2006 and 2014, the Council of the City of San José (“City”) approved the San Francisco Bay Area IRWM Plan, which reflects a nine-county effort to improve and protect water supply and quality and allowed the City to be eligible for grant funds under Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act; and

WHEREAS, in April 2019, the DWR released the program proposal solicitation for Proposition 1 IRWM grant funds and accepted one application per eligible region with the San Francisco Bay Area designated as a single funding region; and

WHEREAS, twenty-nine projects were submitted to the Association of Bay Area Governments (“ABAG”), the lead grantee that will administer and disperse the grant through a Local Project Sponsor Agreement, and eight projects were selected for inclusion in the grant application to the DWR, including the River Oaks Stormwater Capture Project submitted by the City; and

WHEREAS, the River Oaks Stormwater Capture Project, which is included in the Green Stormwater Infrastructure Plan approved by City Council in September 2019, will capture and treat stormwater and dry weather runoff from over 300 acres before discharging it to the Guadalupe River; and

WHEREAS, on June 2, 2020, the DWR selected the City as a grant recipient for the River Oaks Stormwater Capture Project; and

WHEREAS, the IRWM Grant Program guidelines mandate that the City formally approve the 2019 update of the San Francisco Bay Area IRWM Plan to be eligible for the grant funds and require combined local matching funds equivalent to at least 50 percent of the overall project cost; and

WHEREAS, the City Council has reviewed staff’s analysis under the California Environmental Quality Act (“CEQA”) that this action is not a project and agrees with such determination;

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

- 1) The 2019 San Francisco Bay Area Integrated Regional Water Management Plan, a comprehensive, non-binding water plan that analyzes and prioritizes water supply, wastewater and recycled water, stormwater and flood protection, and

watershed management and habitat protection and restoration needs and projects in the nine county Bay Area region, is approved; and

- 2) The City Manager is hereby authorized to negotiate and execute a Local Project Sponsor Agreement with the Association of Bay Area Governments to effectuate a \$3,203,550 grant with City matching funds of 65% for a total project cost of \$9,215,000 relating to the River Oaks Stormwater Capture Project for the term ending on or about September 2024, and all related documents necessary for the grant.

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk