



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** John Stufflebean  
Jennifer Maguire

**SUBJECT:** SEE BELOW

**DATE:** June 3, 2011

Approved 

Date 6/9/11

**COUNCIL DISTRICT:** 3 & 5  
**SNI AREA:** Spartan Keyes,  
Tully/Senter, and  
Five Wounds/  
Brookwood Terrace

**SUBJECT: AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR THE RECEIPT OF \$680,000 GRANT FROM THE SAN FRANCISCO BAY WATER QUALITY IMPROVEMENT FUND AND AGREEMENTS FOR SERVICES WITH DOWNTOWN STREETS TEAM AND SANTA CLARA VALLEY WATER DISTRICT**

**RECOMMENDATION**

1. Adopt a resolution authorizing the City Manager to negotiate and execute a grant agreement with the United States Environmental Protection Agency (EPA) to fund the *Clean Creeks, Healthy Communities Project (Project)* for the term of June 30, 2011 through June 30, 2015, with a grant to the City in the amount of \$680,000, at a cost to the City over the term of the Agreement of \$112,867.
2. Adopt a resolution authorizing the City Manager to negotiate and execute the following agreements with a subgrantee and funding agency:
  - a. An agreement with Downtown Streets Team, a non-profit 501(c)(3) corporation, for the term July 1, 2011 through June 30, 2012 with an option to extend the term through June 30, 2013, subject to the appropriation of additional funds by the City Council, to conduct trash and litter cleanup and provide homeless assistance services as part of the Project at a cost to the City not to exceed \$258,000, with an additional cost to Downtown Streets Team of \$20,000.
  - b. An amendment to the Memorandum of Agreement between the City of San Jose and the Santa Clara Valley Water District (Water District) for

Trash Removal and Prevention to include Project implementation activities and Water District payment to City of \$65,000 per year for two years (2011-2012 and 2012-2013) towards the Project.

3. Adopt the following 2011-2012 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
  - a. Increase the estimate for Revenue from the Federal Government by \$265,000.
  - b. Increase the estimate for Revenue from Local Agencies by \$65,000.
  - c. Establish a Citywide Clean Creeks, Healthy Communities appropriation to the Environmental Services Department in the amount of \$330,000.

### **OUTCOME**

Approval of this recommendation will allow the City to implement the Clean Creeks, Healthy Communities Project. Through this project the City and participating entities will achieve substantial experience and make progress reducing trash that results from homeless populations dwelling in the targeted stretch of Coyote Creek. Implementation of this project can also increase community creek stewardship activity and prevent and abate trash accumulation and illegal dumping in the targeted Strong Neighborhood Initiative communities of Spartan/Keyes, Tully/Senter, and Five Wounds/Brookwood Terrace.

### **BACKGROUND**

The US EPA's San Francisco Bay Water Quality Improvement Fund (SFBWQIF) seeks to grant funding to projects to achieve significant improvement in water quality and attainment of beneficial uses. The SFBWQIF specifies that grant projects must achieve one or more of the following SF Bay water quality priorities: (1) Protecting and restoring habitat including riparian corridors, floodplains, wetlands, and the Bay; (2) Reducing polluted runoff from urban development and agriculture; and (3) Implementing Total Maximum Daily Loads and watershed plans to restore impaired waterbodies.

Trash is a pollutant that is highly visible and ubiquitous, contributes to urban blight, and can negatively impact the quality of life in the community. It has become more stringently regulated under the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit (Order R2-2009-0074). Trash and litter have no single source or pathway into the environment and urban creeks. The Project plans to bring together a collaboration of community groups, volunteers, non-profits, and City departments to holistically address the behaviors that contribute to the problem and work toward a single goal of preventing trash in urban creeks.

On January 25, 2011, the City Council adopted a resolution authorizing the City Manager to submit a grant application to the US EPA SFBWQIF to fund one or more of three projects. On March 23, 2011, the US EPA notified the City that it would be recommending the *Clean Creeks*,

*Healthy Communities Project* (Project) for full funding. EPA received more than \$24 million in grant requests and is awarding three grants under the 2010 SFBWQIF totaling \$1.8 million. This Project is identified as one of those three.

## ANALYSIS

The Project is intended to provide a response to the problems of trash accumulations and other water quality issues that emanate from the concentration of homeless encampments and illegal dumping activity that occurs along the targeted reach of Coyote Creek bordered by William Street to the north and Tully Road to the south (see Attachment A). The City will engage neighboring communities to become stewards of the creek corridor and contract with the Downtown Streets Team to pilot their innovative approach to reducing homelessness in the targeted stretch of Coyote Creek.

The total estimated cost to implement the Project over four years is \$942,867. The SFBWQIF grant will provide \$680,000 to the City to implement the Project. Of this grant funding, \$265,000 will be recognized and spent in 2011-2012. Most of this funding will be encumbered in the recommended subgrant agreement with the Downtown Streets Team (DST) and a City Manager subgrant agreement with San Jose State University to support project activities as envisioned for the term of the Project. \$415,000 of the grant will be recognized and spent in the remaining three years of the Project.

Project funding that is not covered by the EPA grant would be provided through matching funds from the City (\$112,867 over four years), the Water District (\$130,000 over two years), and the DST (\$20,000 grant from the eBay Foundation secured by Destination: Home). The City's matching funds will be provided through in-kind services and by conducting existing activities, such as homeless encampment and trash hot spot cleanups, in the Project Area for the term of the grant.

The purpose of the Project is to demonstrate the efficacy of an integrated, multidisciplinary approach to reducing trash in urban creeks as a result of homeless encampments, illegal dumping, and other behaviors such as graffiti and vandalism. The success of the Project will be measured by its ability to create a tipping point whereby the community is able to deter trash generating behaviors through passive and active monitoring, and actively supports the development of the beneficial uses of their local riparian corridor.

A main component of the Project will fund an agreement with the DST, a non-profit 501(c)(3) corporation, for a total cost to the City not to exceed \$258,000 and additional cost to DST of \$20,000 for the term July 1, 2011 through June 30, 2012, with an option to extend the term through June 30, 2013 subject to the City Council appropriation of additional funds. The DST will recruit and employ homeless individuals from the creek encampments in cleaning up trash and litter in the Project area. This Project element will provide homeless residents living within the targeted reach of Coyote Creek with job and life skills, with the goal of 50 individuals moving out of the creeks and into permanent housing over the term of the agreement. The DST will provide direct peer-to-peer outreach as well as professional social services support to the

homeless community in the target area in coordination with Destination: Home, a public-private partnership working to permanently end chronic homelessness in Santa Clara County. While the Downtown Streets Team model has been successful elsewhere, this is the first time this approach is being used with creekside homeless populations in coordination with a water quality improvement program.

The Project will also develop and support community engagement activities in three Strong Neighborhood Initiative (SNI) areas from July 2011 through June 2014. These SNI areas are Five Wounds/Brookwood Terrace, Tully/Senter, and Spartan/Keyes. The grant will fund one temporary part-time Community Activity Worker (CAW) to organize community activities related to creek awareness and stewardship. Additional support for the prevention and abatement of illegal dumping along the targeted reach of Coyote Creek will be provided by a second temporary part-time CAW. This CAW will work with the Anti-Litter Program to coordinate illegal dumping prevention, abatement, and public outreach in the targeted area. Other Project components include conducting two annual large encampment cleanups in cooperation with the Water District.

*Clean Creeks, Healthy Communities* is a collaborative project that has been developed in coordination with several partners. Major roles of the Project partners include:

Environmental Services	Overall project management, grant and partnership coordination, supervision for the part-time CAWs funded through the Project, and Project reporting.
Strong Neighborhood Initiative Areas	Support for community outreach and engagement to develop local community creek awareness and stewardship.
Parks, Recreation, and Neighborhood Services	Support for litter abatement and prevention in the targeted reach of Coyote Creek.
Downtown Streets Team	Direct support and rehabilitative services to the homeless population through employment, peer-to-peer counseling, and coordination of housing and health services.
Destination:Home	In conjunction with DST, will provide rehabilitative assistance and support to the homeless community in the targeted area
Santa Clara Valley Water District	Providing \$130,000 as part of the local match toward the project, and professional support for on-going creek cleanup activity.
San Jose State University	Special graduate and undergraduate classes will develop long-term metrics to evaluate program effectiveness.

### Next Steps

In July 2011, staff expects to fill two part-time, temporary CAW positions to begin community engagement work with the targeted neighborhoods. Upon execution of the agreement, the DST will begin work in the Project area beginning in July including team training, conducting a census of the homeless individuals living in the Project area, and beginning cleanup activities.

### EVALUATION AND FOLLOW-UP

This four year grant project will be required to produce quarterly reports to US EPA. US EPA is requiring that all metrics developed for the project meet their Quality Assurance Project Planning (QAPP) guidance requirements. This process requires the City to submit all program evaluation and data collection methodologies to ensure that they meet US EPA standards. Staff will be working with San Jose State University to develop project metrics to track progress over the term of the project. Potential metrics include regular neighborhood survey collection and analysis to track changes in community attitudes and engagement with the targeted creek area, conducting a survey and census among the homeless population, and tracking changes in the condition of Coyote Creek specifically in trash accumulation and visual impairment over the term of the Project. Staff will also be working closely with DST to track effectiveness of cleanup efforts and impact on the homeless community within the targeted area.

### PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the criteria listed above, this memorandum is posted on the City's website for the June 21, 2011 City Council Agenda.

As part of the Project, staff will work directly with the three SNI areas to coordinate and host community engagement and creek stewardship activities and events, expand the Ant-Litter Program's illegal dumping website, and provide regular Project updates to the SNI areas and neighboring communities.

**COORDINATION**

This Project is being coordinated with the Redevelopment Agency and the Parks, Recreation and Neighborhood Services Department. The memorandum was coordinated with the Housing and Police Departments, and the City Attorney’s Office.

**COST SUMMARY**

Total estimated cost to implement the Project over four years is \$942,867. The grant and local match amounts are shown in the table below.

Project Element	Total	Grant Amount	Local Match	Source of Local Match
Community Engagement and Clean-up, including creek clean-ups and illegal dump site abatement	\$366,867	\$254,000	\$112,867	City (in-kind)
Homeless Cleanup and Housing Assistance	\$536,000	\$386,000	\$150,000	SCVWD (\$130,000); DST (\$20,000 through a grant from eBay Foundation)
Project Metrics (San Jose State University)	\$40,000	\$40,000	-	-
<b>Total</b>	<b>\$942,867</b>	<b>\$680,000</b>	<b>\$262,867</b>	-

An estimated local match of \$112,867, including in-kind resources, will be provided by the City. Of this \$112,867, \$64,000 would come from the Integrated Waste Management Fund Police Department Personal Services over four years to cover the cost of Police supervision of creek encampment cleanups, with funding for future years being subject to appropriation of funds. An additional \$36,085 would come from the Storm Sewer Operating Fund Environmental Services Department Personal Services appropriation over four years, with funding for future years being subject to appropriation of funds. The final \$12,782 would come from the Storm Sewer Operating Fund Environmental Services Department Non-personal/Equipment appropriation over four years, with funding for future years being subject to appropriation of funds.

**BUDGET REFERENCE**

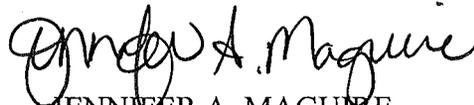
Fund #	Appn. #	Appn. Name	RC.	Total Appn.	Amt. For Contract	2011-2012 Proposed Operating Budget (Page)	Last Budget Action (Date, Ord. No.)
001	New*	Clean Creeks, Healthy Communities	N/A	\$ 330,000	\$258,000	N/A*	N/A*

\*This memorandum recommends establishing the Clean Creeks Healthy Communities appropriation for 2011-2012.

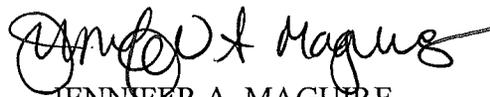
**CEQA**

Categorically Exempt, File No. PP11-044

/s/  
JOHN STUFFLEBEAN  
Director, Environmental Services

  
JENNIFER A. MAGUIRE  
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2011-2012 moneys in excess of those heretofore appropriated there from, said excess being at least \$330,000.

  
JENNIFER A. MAGUIRE  
Budget Director

For questions please contact Elaine Marshall, Stormwater Management Program Manager, at 408-793-5355.

