

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE REPEALING RESOLUTION NO. 75877 AND 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*, WITH A GRANT TO THE CITY OF SAN JOSE IN THE AMOUNT OF \$680,000, AT A COST TO THE CITY OVER THE TERM OF THE AGREEMENT OF \$196,867

WHEREAS, on June 21, 2011, the City Council of the City of San José (“City”) adopted Resolution No. 75877, which authorized the City Manager to negotiate and execute a grant agreement with the U.S. Environmental Protection Agency (“EPA”) to fund the *Clean Creeks, Healthy Communities Project* (“Project”), with a cost to the City over the term of the agreement in the amount of \$112,867; and

WHEREAS, since adoption of Resolution No. 75877, the EPA has determined and notified the City that the San Francisco Bay Water Quality Improvement Fund (SFBWQIF) could not be used to fund certain components of the grant, and provided the City with an opportunity to revise the grant project budget and scope; and

WHEREAS, the City has worked with one of the Project partners to identify Project and budget modifications that would conform to the grant restrictions and the grant matching requirements; and

WHEREAS, the City desires to negotiate and execute a grant agreement with the EPA to fund the *Clean Creeks, Healthy Communities Project* for the term of August 16, 2011 through June 30, 2015, with a grant to the City of San José in the amount of \$680,000, at a cost to the City over the term of the agreement in matching funds in the amount of \$196,867, to be provided as specified in the memorandum to Council from the Acting Director of Environmental Services and Budget Director dated August 3, 2011;

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

1. Resolution No. 75877 is hereby repealed.
2. The City Manager is hereby authorized to negotiate and execute a grant agreement with the United States Environmental Protection Agency (EPA) to fund the *Clean Creeks, Healthy Communities Project* for the term of August 16, 2011 through June 30, 2015, with a grant to the City of San José in the amount of \$680,000, at a cost to the City of San José over the term of the agreement in matching funds in the amount of \$196,867.

ADOPTED this ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk