

ENVIRONMENTAL CREEK CLEANUP COMMITTEE
(formerly Homeless Encampment Committee)

MINUTES

TUESDAY, JULY 19, 2022
2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER.

A regular meeting of the Santa Clara Valley Water District (Valley Water) Environmental Creek Cleanup Committee (Committee) was held on July 19, 2022, in the Headquarters Building Boardroom at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

1.1 Roll Call.

Committee members in attendance were District 1 Director John L. Varela, District 2 Director Barbara F. Keegan, and District 3 Director Richard P. Santos, Chairperson presiding, constituting a quorum of the Committee.

Director LeZotte attended without participating in the discussion.

Staff members in attendance were R. Callender, Chief Executive Officer, C. Orellana, District Counsel, M. Bilski, R. Blank, R. Fields, M. Ganjoo, A. Gschwind, B. Hopper, N. Ingram, M. King, C. Kwok-Smith, J. Lee, E. O'Keefe, J. Randol, D. Rocha, R. Snyder, R. Tregoning, Z. White, and B. Zisser.

Guests from City of San Jose in attendance were: Omar Passons, Sandra Murillo, Andrea Flores Shelton, and Vanessa Beretta, City of San Jose;

Public in attendance: Nora Ward

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Chairperson Santos declared time open for public comment on any item not on the agenda.

There was no one present who wished to speak.

3. APPROVAL OF MINUTES:

3.1. Approval of May 16, 2022 Environmental Creek Cleanup Committee Meeting Minutes.

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the May 16, 2022 Environmental Creek Cleanup Committee meeting. It was moved by Director Keegan, seconded by Director Varela, and approved as presented.

4. ACTION ITEMS:

4.1. San José Police Department Update on Creek Safety, Criminal Activity, and Use of Valley Water Funding.

Recommendation: Receive an update from San José Police Department (SJPD) staff regarding issues related to creek safety and criminal activity along local waterways, as well as the SJPD's use of funding provided by Valley Water.

Chairperson Santos announced and acknowledged the presence of Paul Joseph, San Jose Police Department (SJPD) Assistant Chief of Police.

Assistant Chief Joseph reviewed the information on this item, per the attached Committee agenda memo.

The Committee noted the following without taking formal action:

- That SJPD could better impact the homelessness issue if current drug laws were stricter and treatment enforcement would have a lower threshold;
- That due to staffing shortages, the City of San Jose (city) would not be able to include code enforcement in responding to encampments issues; and
- That on a regular day, there are two officers on bike patrols with each scheduled to work 8 hours a day.

4.2. City of San José Department of Housing Presentation on Housing and Shelter Plans for Unhoused Residents.

Recommendation: Receive a presentation from City of San José Department of Housing staff regarding current plans to provide housing and shelter for unhoused residents.

Vanessa Beretta, City of San Jose's Senior Development Officer, with the city's Homelessness Response Team, reviewed the information on this item, per the attached Committee agenda memo, and per the information contained in Attachment 1.

The Committee noted the following without taking any formal action:

That the results of the latest homelessness survey by the city and the County of Santa Clara showed an 11% increase in the city and 3% increase in the entire county; That there are various programs under the Housing-based solutions section of the Homelessness Response Team; That the city has a five-year plan with other county departments outlined on the 2020-2025 Community Plan and that implementation had been carried out with identified strategies.

The Committee requested that staff invite all 15 cities in the county including Vanessa Beretta on an agenda item about a countywide unhoused committee or a Joint Powers Authority, that would give each agency a voice.

4.3. Updates on Valley Water's Encampment Cleanup Operations.

Recommendation: Receive updates and provide feedback on the following topics:

- A. Encampment cleanup schedule.
- B. Encampment cleanup costs and funding.
- C. Creek Safety Issues Report.
- D. Recent encampment cleanups.
- E. Creek Safety Issues Report.

Ryan Tregoning, Field Construction Supervisor, reviewed the information on this item, per the attached Committee agenda memo, and per the information contained in Attachment 1.

The Committee noted the following information without taking formal action.

- That four full time staff and seven to ten contracted staff compose a crew that are on the creeks all throughout the county;
- That Valley Water engineers, botanists, or environmental planners could be accompanied by field crews, on a buddy system, or provided secondary employment arranged by VW's Security Office for protection while in the field;
- That collected trash on encampments all go the Newby Island Landfill as disposal area, and that personal properties are left in the camp, and in case of a full abatement event, are collected, stored at an offsite location, and allow ninety days for owners to claim.

The Committee advised that staff have a plan, including a budget, necessary to adapt to changing Center for Disease Control (CDC) guidelines on abatement procedures, and requested that staff agendaize at the next meeting the topic, *Abatement Activities Post-COVID Restrictions*.

Jeffrey Hare, of unknown residency, stated that the CDC never had guidelines on abatement procedures, but instead released "considerations;" and that it is inaccurate to say that the CDC prohibited the abatements.

4.4. Update on Outreach to Creekside Property Owners.

Recommendation: Receive an update on Valley Water's existing and planned outreach to creekside property owners, including school districts and private owners.

Ryan Tregoning reviewed the information on this item, per the attached Committee agenda memo, and per the information contained in Attachments 1 through 4.

The Committee noted the following without taking formal action.

- That maintenance by private landowners may also require permits from local municipalities, Department of Fish and Wildlife, US Army Corps of Engineers, Regional Water Quality Control Board, or San Francisco Bay Conservation and Development; and

During the presentation, the Committee made the following requests of staff:

- That future communications similar to the June 28, 2022, letter sent to Creekside Property Owners, attached herein as Attachment 1, should be reviewed and must include input by the Committee; and
- That Brian Hopper would draft a letter, with legal language and using the same attachments, that would be more educational and provide understanding what really is the responsibility and accountability on creek maintenance.

4.5. Update on State and Federal Funding Opportunities for Unhoused People.

Recommendation: Receive information regarding state and federal funding for programs to address homelessness with a focus on the Fiscal Year 2022-2023 State Budget.

Beckie Zisser, Acting Supervising Program Administrator, reviewed the information on this item, per the attached Committee agenda memo, and added that on the federal side, the Office of Government Relations was pursuing grants with the Environmental Protection Agency for water quality improvement in the Bay Area.

4.6. Review 2022 Environmental Creek Cleanup Committee Work Plan.

Recommendation: A. Review the 2022 Environmental Creek Cleanup Committee Work Plan, and make adjustments as necessary; and
B. Confirm date and time of next Environmental Creek Cleanup Committee meeting.

The Committee noted the next meeting on October 18, 2022, without taking a formal action.

5. **ADJOURN.**

5.1. Adjourn to regular meeting at 2:00 p.m., on October 18, 2022.

Chairperson Santos adjourned the meeting at 3:50 p.m., to the next meeting on October 18, 2022.

Eva M. Sans
Assistant Deputy Clerk

Approved:

07/19/22

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