

**ENVIRONMENTAL CREEK CLEANUP COMMITTEE
(formerly Homeless Encampment Committee)**

MINUTES

**TUESDAY, February 21, 2023
2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER.

A special meeting of the Santa Clara Valley Water District (Valley Water) Environmental Creek Cleanup Committee (Committee) was held on February 21, 2023, in the Headquarters Building Boardroom at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California and by Zoom teleconference at 2:00 p.m.

1.1 Roll Call.

Committee members in attendance were District 4 Director Jim Beall, District 7 Director Rebecca Eisenberg, and District 3 Director Richard P. Santos, constituting a quorum of the Committee.

Staff members in attendance were: Gina Adriano, Joseph Aranda, Audrey Beaman, Mark Bilski, Rechelle Blank, Jessica Collins, Debbie Britt-Petty, Rick Callender, Jennifer Codianne, Brian Hopper, Meenakshi Ganjoo, Andrew Gschwind, Hieu Huynh, Michele King, Emelia Lamas, Shanika Medina, Sandra Murillo, Linda Nguyen, James Randol, Cecilia Rocha, Don Rocha, Ronald Snyder, Ryan Tregoning, and Genevieve Yip.

Guests in attendance were: Jamie Marcil and Olympia Williams (Beautify San Jose), Sergeant Scott Williams (San Jose Police Department), Katja Irvin (Sierra Club-Loma Prieta Chapter) and Paul Pereira (City of San Jose).

Public in attendance were: Brian Crowell, John Davis, Russ Eisenberg, Jeffrey Hare, Deb K, Trisha Madayag, Ann Marie McCauley, Andre Myers, Gail Anne Osmer, Joanne Price, Curtis Smolar and Jack Steinmayer

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.

Four public comments from the following were received expressing advocacy for the unhoused, concerns for safety for families and businesses, and proposed solutions to

encampments: Gail Anne Osmer, unhoused advocate; Ryan Golze, Brookdale Senior Living Executive Director; Brian Crowell and John Davis, San Jose residents; and Joanne Price, Strategic Initiatives with Dignity Moves Vice President.

3. ELECTION OF OFFICERS:

3.1. Elect 2023 Environmental Creek Cleanup Committee Officers.

Recommendation: Nominate and elect the 2023 Environmental Creek Cleanup Committee Chairperson and Vice Chairperson.

It was moved by Director Beall and seconded by Director Eisenberg to re-elect Chairperson Santos to continue as Chair for the year 2023.

It was moved by Chairperson Santos and seconded by Director Beall to nominate Director Eisenberg as Vice Chairperson for the year 2023.

The motions carried unanimously, by roll call vote.

4. APPROVAL OF MINUTES:

4.1. Approval of January 17, 2023 Environmental Creek Cleanup Committee Meeting Minutes.

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the January 17, 2023 Environmental Creek Cleanup Committee meeting. It was moved by Director Beall, seconded by Chairperson Santos, to approve the minutes as presented.

5. ACTION ITEMS:

5.1. Receive 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. Recent encampment cleanups.
- D. Fence repairs update.
- E. Effort to Map Valley Water Lands for Interim Housing.
- F. Comprehensive Services MOA with City of San Jose.
- G. Creek Safety Issues Report.
- H. Update from Sergeant Scott Williams, Special Operations - Street Crimes Unit.

Jennifer Codianne, reviewed the information on this item, per the attached Committee agenda memo, and per the information contained in Attachment 1.

During the presentation, the Committee noted the following without formal action:

- With regard to the Committee's request at the last meeting to evaluate sites for housing, staff provided a map, as seen on Slide 18, with a pink highlighted portion showing areas that lie outside of the 100-year FEMA flood zone and identified by staff as parcels that would be available for other agencies to use for housing. The Committee was also informed that a Web map of identified sites was available for viewing.
- With regard to fence repairs, as seen on Slide 7, the Committee made a request to find out if a joint purchase with other agencies such as CalTrans could be done for Valley Water to get better pricing; and another request to compare the cost of fences, no matter how acquired, versus the cost of porta potties to determine efficacy on keeping people from contaminating water ways.
- The Committee mentioned that housing for the unhoused should be referred to as "transitional housing" to be consistent with the City of San Jose's housing committee's consideration of transitional housing for the unhoused as well as to form a connection with the associated wrap-around services with transitional housing.
- The Committee cited LifeMoves housing in Mountain View as an example of transitional housing. Director Eisenberg offered to accompany anyone interested to see this facility.
- Staff would explore the possibility of the use of Valley Water parking lots for supervised encampment sites or for any opportunities for housing.
- Staff would look into the possibility of relocating Highway 85/Almaden Expressway percolation pond into a bigger site for water percolation and consider the current Highway 85/Almaden Expressway location as a viable economic site due to close access to different transit lines.
- The Memorandum of Agreement would take into account all necessary services for the unhoused to get relocated with the City of San Jose taking the lead since their agency has housing authority and encampments are located on city lands. Valley Water is cost sharing from local funds.
- Staff would look into whether transitional housing which are movable, has a state requirement to be inside or outside the 100-year FEMA flood zone and whether transitional housing qualifies for Home Key funds.
- Staff would present this Committee's recommendation to the full Board on whether to include encampment relocation as well as housing on the costs of capital projects such as the Coyote Creek Flood Mitigation Measures project.
- Staff would consider the possibility of providing lockers for the unhoused.

Gail Osmer expressed frustration over non-profits that had not provided services they were supposed to give. Director Eisenberg offered to connect Gail Osmer to non-profit organizations that perform and deliver better services.

Sergeant Scott Williams, San Jose Police Department Street Crimes Unit Supervisor, spoke about Mission of the Street Crimes Unit with regard to an agreement with Valley Water on community policing, uniformed patrols, plainclothes enforcement, and bicycle patrols. Sergeant Williams mentioned that his job is to focus on the criminal behavior when it occurs since being unhoused is not a crime and to make the waterways and trails safe for staff and the public that are accessing them. The Committee was informed that owners of dogs without leash could be cited on encampment sites; however, animal control services would take over abandoned animals that eventually would be placed on shelters. The Committee was also informed that a big concern among the unhouse is keeping their belongings safe. The Committee suggested that staff could make recommendations to support fire prevention such as education of the unhoused and conducting regular inspections not to issue violations and rather to educate on proper use. Sergeant Williams

added that enforcement could also be used to ensure compliance to proper handling of devices and equipment and to give guidance on the use of open flames.

5.2. Receive Information on the Potential for Valley Water to Offer Portable Toilet Facilities in Heavily Encamped Creek Areas.

Recommendation: Receive information on the potential for Valley Water to offer portable toilet facilities in heavily encamped creek areas and provide recommendations to staff.

Jennifer Codianne, reviewed the information on this item, per the attached Committee agenda memo and added that the recommended portable toilet sites were areas heavily encamped and identified as areas where contractors could access to service these facilities.

The Committee noted the following without taking formal action:

- Staff would come back with information on whether a contractor could provide oversight services for these facilities.
- Additional funding for encampment cleanup could come from an Environmental Protection Agency grant that would allow use of the fund for portable toilets.
- Staff would continue the feasibility analysis for this program, and if necessary and appropriate, would request funding approval for porta potty services when the mid-year budget adjustment is presented to the Board at the March 28, 2023 meeting. In addition, Finance staff would find out if encampment costs could be integrated within project costs.
- The City of San Jose had provided dumpsters at several encampment sites that had attracted illegal dumping from housed residents.

Gail Osmer confirmed the urgency and importance of porta potties at encampment sites and suggested a potential candidate that could fill the position of porta potty oversight.

5.3. Review 2023 Environmental Creek Cleanup Committee Work Plan.

Recommendation: A. Review the 2023 Environmental Creek Cleanup Committee Work Plan, and make adjustments as necessary; and
B. Confirm date and time of next Environmental.

With regard to Committee meeting schedule, the Committee made a request that:

- A special March 2023 meeting date would be tentatively scheduled if staff would have enough information for discussion.
- A special June 2023 meeting date would be scheduled in lieu of a cancellation of the regular July 18, 2023 meeting.

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

None.

7. ADJOURN.

7.1. Adjourn to Regular Meeting at 2:00 p.m., on April 18, 2023

Chairperson Santos adjourned the meeting at 4:20 p.m., to the next regular meeting on April 18, 2023.

Eva Marie Sans
Assistant Deputy Clerk II

Approved:

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