



Santa Clara Valley Water District

File No.: 18-0361

Agenda Date: 7/10/2018

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Amendments to Grant Agreement Nos. 3976R, 3990R, and 3991R, with Acterra Stewardship, a Fiscally-Sponsored Project of Acterra: Action for a Healthy Planet, a Non-Profit 501(c)(3) Organization ("Grantee"), to Transfer Safe, Clean Water Grant Agreements 3976R, 3990R, and 3991R to Grassroots Ecology.

RECOMMENDATION:

- A. Approve Amendment No. 1 to the Grant Agreement A3976R ("Agreement") between the Santa Clara Valley Water District ("District") and Acterra Stewardship, a fiscally-sponsored project of Acterra: Action for a Healthy Planet, a non-profit 501(c)(3) organization ("Grantee") to transfer the Grant Agreement to Grassroots Ecology;
- B. Approve Amendment No. 1 to the Grant Agreement A3990R ("Agreement") between the Santa Clara Valley Water District ("District") and Acterra Stewardship, a fiscally-sponsored project of Acterra: Action for a Healthy Planet, a non-profit 501(c)(3) organization ("Grantee") to transfer the Grant Agreement to Grassroots Ecology;
- C. Approve Amendment No. 1 to the Grant Agreement A3991R ("Agreement") between the Santa Clara Valley Water District ("District") and Acterra Stewardship, a fiscally-sponsored project of Acterra: Action for a Healthy Planet, a non-profit 501(c)(3) organization ("Grantee") to transfer the Grant Agreement to Grassroots Ecology; and
- D. Authorize the Chief Executive Officer to execute the amendments for the above listed Agreements.

SUMMARY:

On December 8, 2015, the Board awarded the Grantee \$107,561 under the Restore Wildlife Habitat Grant Program. The grant enabled the Grantee to implement the Arastradero Creek Watershed Enhancement Project, which provides installation of 2,000 linear feet of swale-and-berm structures, removal of invasive plant species, and planting a diversity of native species to increase native vegetation and support wildlife along Arastradero Creek.

On December 8, 2015, the Board awarded the Grantee \$93,617 under the Pollution Prevention Grant Program. The grant enabled the Grantee to implement the Greening Watersheds Project, which

provides designs for 4 rain barrels and 4 bio-retention/rain garden projects, coordinate hands-on workshops to install rain barrels/gardens on city properties, and conduct 21 community cleanup events with a goal of removing 13,000 pounds of trash from 4 miles of riparian corridors.

On December 8, 2015, the Board awarded the Grantee \$136,469 under the Restore Wildlife Habitat Grant Program. The grant enabled the Grantee to implement the Byrne Preserve Riparian Enhancement Project, which sought to restore a degraded tributary to Moody Creek located in Byrne Preserve and to perform community engagement and education, monitoring of vegetation and channel geometry, invasive plant removal, and native plant re-vegetation.

All three grants were fully executed by the CEO on June 14, 2016.

Acterra Stewardship, a fiscally sponsored project of Acterra: Action for a Healthy Planet has been serving as Grassroots Ecology's fiscal sponsor for the purpose of Grassroots Ecology receiving grant funds under the Agreements. Grassroots Ecology no longer requires the Grantee to serve as its fiscal sponsor because Grassroots Ecology is now a non-profit corporation with a 501(c)3 tax exempt status.

The Grantee now seeks to assign, transfer, and convey the Agreements listed above to Grassroots Ecology. The Grantee has entered into an assignment and assumption agreement and signed a written statement to assign all the rights and obligations of the Agreements to Grassroots Ecology. Grassroots Ecology agrees to assume and accept all obligations and liabilities of the Grantee related to the Agreements and agrees to be bound by all the terms and conditions of the Agreements.

FINANCIAL IMPACT:

No financial impact to FY18 budget. The funds associated to these grant agreements were awarded in FY16 and have been encumbered. The Amendments do not modify the not-to-exceed amounts in the Agreements. The remaining fund balances are \$51,158 for the Arastradero Creek Watershed Enhancement Project, \$57,135 for the Greening Watersheds Project, and \$70,482 for the Byrne Preserve Riparian Enhancement Project.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have potential for resulting in direct or reasonably foreseeable indirect physical changes in the environment. The project being funded by the recommended action has undergone CEQA review or shall undergo CEQA review prior to construction and/or implementation of projects as appropriate by the grantee organizations.

ATTACHMENTS:

Attachment 1: Amendment No.1 to Agreement A3976R
Attachment 2: Amendment No.1 to Agreement A3990R
Attachment 3: Amendment No.1 to Agreement A3991R
Attachment 4: Agreements A3976R, A3990R, A3991R

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Attachment 5: Articles of Incorporation
Attachment 6: 061218 IRS Determination Letter
Attachment 7: Consent Letter

UNCLASSIFIED MANAGER:
Rick Callender, 408-630-2017