



CITY ATTORNEY'S OFFICE

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CITY COUNCIL STAFF REPORT

Meeting: April 4, 2023

Subject

Consider submitting a letter in support of, or otherwise regarding, Assembly Bill ("AB") 1469: Valley Water – Assisting Unsheltered People.

Recommended Action

Consider submitting a letter in support of AB 1469.

Reasons for Recommendation

The Santa Clara Valley Water District ("Valley Water") is the regional water supply, groundwater management, flood protection, and stream stewardship agency for Santa Clara County. The agency's enabling legislation, the Santa Clara Valley Water District Act ("District Act"), establishes and defines Valley Water's purposes, grants limited authority to the seven-member elected board, and authorizes certain expenditures for the purposes defined by the Act.

Valley Water owns and manages 294 miles of streams and habitat, with a mission to protect more than 800 miles of streams throughout Santa Clara County. These areas include threatened and endangered species, sensitive habitats, and public infrastructure critical to water supply, groundwater recharge, and flood risk reduction activities.

In 2022, 77% of the unhoused population in Santa Clara County was unsheltered, with an estimated 2,300 taking refuge on Valley Water's property or land easements. The large unsheltered population has led to encampments along waterways, creating environmental impacts as well as risks to the health and well-being of the unsheltered residents.

AB 1469 ([Attachment A](#)) expands the District Act to allow Valley Water's purpose to include assisting unsheltered people living within their jurisdiction. The legislation would allow Valley Water to offer land for transitional housing and other facilities. In addition, the bill would allow Valley Water more flexibility to access revenue from an existing 1% ad valorem property tax to fund outreach, counseling, transitional housing, or other services for unsheltered people.

The Santa Clara County Cities Association has requested that member cities take a position in support of AB 1469. A draft letter of support is included for Council's consideration as Attachment B. If Council elects to take a position in support of the bill, the letter will be finalized for the Mayor's signature and distributed as appropriate.

Sustainability Impact

Sending a letter supporting AB 1469 will have no sustainability impact. The bill's measures have the potential to reduce the environmental impact of unsheltered people living along waterways within Santa Clara County.

Fiscal Impact

No fiscal impact.

California Environmental Quality Act

Not applicable.

Prepared by: Christopher D. Jensen, City Attorney

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Assembly Bill 1469

B – Draft Letter Re AB 1469