



## CITY OF MILPITAS AGENDA REPORT (AR)

<b>Item Title:</b>	<b>Authorize the Mayor to Send Letter of Support for Assembly Bill No. 271 in support of the Anderson Dam Project</b>
<b>Category:</b>	Consent Calendar-Community Services and Sustainable Infrastructure
<b>Meeting Date:</b>	4/20/2021
<b>Staff Contact:</b>	<b>Steve Erickson, Engineering Director, 408-586-3301</b> <b>Tony Ndah, Public Works Director, 408-586-2602</b>
<b>Recommendation:</b>	Authorize the Mayor to Send Letter of Support for Assembly Bill No. 271 in support of the Anderson Dam Project

### **Background:**

The Valley Water District owns and operates the Anderson Dam and Reservoir located in Morgan Hill. The dam provides potable water and flood protection for the Santa Clara Valley. The dam was constructed in the 1950s and has been determined by dam safety officials to be vulnerable to damage during a 6.6 magnitude earthquake and failure with a 7.25 quake. A failure of Anderson Dam at full capacity would result in catastrophic losses of life and property, inundating an area that includes many of the cities comprising the San Jose metropolitan area and southward to Monterey Bay. The human and economic costs would be felt across California and the nation. The estimated to project cost is \$576 million and the construction project is anticipated to create 5,400 jobs.

Assemblymember Robert Rivas of the 30<sup>th</sup> Assembly District introduced State Assembly Bill 271 for the timely, safe, and expert construction of the Anderson Dam Project. AB 271 authorizes the Anderson Dam Seismic Retrofit Project (Anderson Project) to use the “best value” method of contractor selection. A project of this size and importance should be awarded to the most qualified contractors offering the best value, and not necessarily to the lowest bidder. In matters of public safety, expert construction is of critical importance. The AB 217 Fact sheet and the actual Bill are included in the agenda report as (**Attachment 1 and 2**) respectively.

### **Analysis:**

Anderson Dam is important flood control infrastructure and helps to protect the City of Milpitas from flooding along Coyote Creek. Staff from the Valley Water District reached out requesting the City support AB 271 and requested the City send a letter to Assemblymember Rivas urging the Legislature to support, and the Governor to sign, this critically important bill to protect the people of Silicon Valley from the devastating impacts of dam failure during an earthquake. The draft letter for the Mayor’s signature is attached, and staff recommends that the City Council authorize this letter to be sent.

### **Fiscal Impact:**

None

### **Policy Alternatives:**

#### **Alternative 1:**

Do not authorize the Mayor to send letter of support for AB 271 Anderson Dam Project.

Pros: None

Cons: Anderson Dam is a critical piece of infrastructure that provides potable drinking water and flood control along Coyote Creek protecting the City of Milpitas. Letters of project support are recommended to help have this project approved and funded for construction.

Reason not recommended: Anderson Dam was constructed in the 1950s and is in need of repair. Supporting the project through AB 271 is an important step in ensuring the City of Milpitas is protected from Flood Hazards along Coyote Creek.

**California Environmental Quality Act:**

Approval of a letter of support for an assembly bill is not considered a project under CEQA, as there will be no direct or reasonably foreseeable indirect physical change in the environment.

**Recommendation:**

Authorize the Mayor to Send Letter of Support for Assembly Bill No. 271 in support of the Anderson Dam Project.

**Attachment:**

Attachment 1 AB 271 Fact Sheet

Attachment 2 AB 271 Bill Text

Attachment 3 Letter from Mayor