



Midpeninsula Regional  
Open Space District

R-20-17  
Meeting 20-03  
February 12, 2020

## AGENDA ITEM 5

### AGENDA ITEM

2020 Legislative Program

#### GENERAL MANAGER'S RECOMMENDATION *dew*

Adopt the 2020 Legislative Program as recommended by the Legislative, Funding, and Public Affairs Committee, with any final changes from the Board of Directors, to set the legislative priorities and policies for Midpeninsula Regional Open Space District.

### SUMMARY

Each year, staff reviews numerous legislative proposals at the local, state, and federal levels to identify opportunities that further the Midpeninsula Regional Open Space District's (District) mission, strategic and action plan priorities, and key projects. Though most bills are considered on a case-by-case basis, the annual Board-approved Legislative Program provides a publicly accessible, transparent, and proactive summary of priorities and policies to guide legislative activities for the year. The Legislative, Funding, and Public Affairs Committee (LFPAC) received an overview of the Draft 2020 Legislative Program on January 28, 2020 and provided comment and guidance on the legislative policy proposals. Staff incorporated LFPAC comments into the revised 2020 Legislative Program (Attachment 1) now under consideration by the full Board.

### DISCUSSION

#### Annual Legislative Program

The Legislative Program serves as the touchstone for all legislative activities during the session, articulating the priorities of the Board of Directors and focusing staff, consistent with Board Policy 1.11 (Attachment 3). It also provides an opportunity for District staff to think about its work in policy terms, beyond strictly project execution, helping to promote interdepartmental coordination and a culture of continuous improvement.

#### Legislative Program Structure

The proposed 2020 Legislative Program is broken into several sections:

- **Legislative Priorities** – These are the District's top state and local legislative priorities, grouped by key strategic areas. These priorities are consistent with the Board's Strategic Plan Goals and Objectives, reinforcing organizational alignment with Board priorities. (<https://www.openspace.org/about-us/strategic-plan>). Annual priority setting is informed by Board-approved projects and initiatives, opportunities to support or oppose state legislative initiatives sponsored by others that affect the District's mission, and other

issues identified by the Board as particularly significant. Bond measures and actions to allocate existing funding sources or create new ones are the most common of these priorities. See below for a summary of the key legislative priorities.

- **Legislative Policy Positions** – The District's ability to deliver on its mission and remain a sustainable organization can be impacted by legislation proposed at the local, state or federal level. To effectively respond to legislative developments, proactive, Board-approved policy positions that respond to a variety of issues can help crystallize thinking among Board members and staff, and ensure consistent and timely advocacy. These policy positions are first organized by the Board's Strategic Plan Goals and Objectives and then grouped into key themes.
- **Regional and Federal Legislative Priorities** – These are the top regional and federal legislative priorities for the District. Participation in these items are considered on a case-by-case basis and subject to staff capacity.

#### **Summary of Key Legislative Priorities**

The proposed policy positions and priorities in the proposed 2020 Legislative Program incorporates input received from District departments and LFPAC. Below is a summary of the proposed policy priorities:

##### **State-Level Priorities:**

##### **Goal 1: Promote, establish, and implement a common environmental protection vision with partners**

1. **Wildlife Corridors:** Greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.
2. **Anticoagulant Rodenticides:** Eliminate the use of second-generation anticoagulant rodenticides to protect raptors, large mammals and other nontarget native wildlife.

##### **Goal 2: Protect the positive environmental values of open space lands**

1. **Responsible Wildland Fire Vegetation Management:** Effective guidelines for wildland fire fuel reduction efforts that minimize potential impacts to rare and endangered species and the risk of exacerbating the spread of invasive species.

##### **Goal 3: Connect people to open space and a regional environmental protection vision**

1. **Equitable Access:** Expanded access to and enhanced funding eligibility for new and improved greenspace opportunities for underserved communities.
2. **Trail Corridors:** Linking of preserve trails to regional trails and ultimately to the places where people live and work.

##### **Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission**

1. **Climate Change Bond:** Climate change funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in the Bay Area.
2. **Proposition 68 Implementation:** Efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that the resulting grant programs support District open space and public access projects.

3. **Cap and Trade/Climate-Related Funding:** Funding that supports the climate resiliency benefits of open space and working lands, including carbon sequestration.
4. **Green Bonds:** Efforts to allow the California Natural Resources Agency to work with the State Treasurer's Office to develop standards for green bond projects, in which California can invest.
5. **Public Safety Power Shutoffs:** State efforts to ease the burden of PG&E Public Safety Power Shutoffs on local agency operations.

Regional-Level Priorities:

1. **Plan Bay Area 2050:** Ratification of the final preferred scenario of the Plan Bay Area 2050 that curbs urban boundary expansion, more tightly integrates open space preservation and stewardship, and funds District priorities in adopted Priority Conservation Areas (PCA).
2. **San Francisco Bay Restoration Authority Measure AA Implementation:** Grant program guidelines for SFBRA's Measure AA funds that enable implementation of District priority projects.
3. **Santa Clara Valley Transportation Authority Measure B Implementation:** Advance mitigation allocation guidelines for VTA's recently passed Measure B funds that enable implementation of District priority projects.
4. **San Mateo County Transit District Measure W Implementation:** Allocation guidelines that enable regional bicycle/pedestrian network connectivity with District projects and regional trail plans.
5. **Regional Collaboration:** Efforts to enhance and fund regional collaboration and coordination of conservation plans.

Federal-Level Priorities:

1. **Land and Water Conservation Fund:** Fully funding the federal Land and Water Conservation Fund.
2. **Infrastructure Investment:** Inclusion of active transportation and parks-related projects in federal funding allocations for new infrastructure.
3. **National Monument Preservation:** Policies that protect and designate national monuments within our region that are important to fulfilling the District's mission.
4. **Wildlife Corridors:** Policies that enhance habitat connectivity on nonfederal lands through wildlife crossings and other habitat connectivity projects.

## FISCAL IMPACT

None. Staff will provide the fiscal impact summary of individual legislative priorities and initiatives as they evolve and arise based on the 2020 Legislative Program in upcoming Legislative Update Reports that are presented to LFPAC and the Board.

## BOARD COMMITTEE REVIEW

This item was reviewed by LFPAC on January 28, 2020. Among the issues raised were:

1. Future consideration by the Board at the next Strategic Planning retreat to include "working lands" to the verbiage of Goal #2.
2. A suggestion to look into the applicability of San Mateo Measure W funds for District work near the City of Half Moon Bay under the county's "Connect the Coast" initiative.

3. Support for minor, non-substantive language consolidation in preparation for bringing the item to the full Board on February 12, 2020.

The proposed 2020 Legislative Program under Board consideration incorporates LFPAC feedback.

## **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act. No additional notice is required.

## **CEQA COMPLIANCE**

This item is not a project subject to the California Environmental Quality Act.

## **NEXT STEPS**

Upon Board approval, the General Manager and staff will proceed with implementing the 2020 Legislative Program. LFPAC and the Board will receive periodic updates on the status of the legislative priorities and policies throughout the year.

Attachments:

1. Midpen 2020 Legislative Session Program
2. Board Policy 1.11: Positions on Ballot Measures and Legislative Advocacy
3. LFPAC Committee Draft Minutes from January 28, 2020.

Responsible Department Head:  
Korrine Skinner, Public Affairs Manager

Prepared by:  
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Midpeninsula Regional Open Space District  
Legislative Program  
2020

**Adopted XXXX**

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## Introduction

Midpeninsula Regional Open Space District's Mission:

*To acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.*

As part of the Coastsides Protection Area Service Plan, a Coastsides mission was adopted:

*To acquire and preserve in perpetuity open space land and agricultural land of regional significance, protect and restore the natural environment, preserve rural character, encourage viable agricultural use of land resources, and provide opportunities for ecologically sensitive public enjoyment and education.*

To further these missions, the Midpeninsula Regional Open Space District (District) annually reviews opportunities and challenges and establishes legislative program priorities and policy statements to guide its advocacy activities at the regional, state and federal levels.

## Advocacy of the District's Interests

While this document attempts to cover a wide variety of legislative issues that may impact the District, it is not comprehensive, complete or final. Throughout the state and federal legislative sessions, the District will review and take positions on various proposed policies and state or federal budget items.

Per Section 2.0 of Board Policy 1.11, legislative advocacy is considered in the following manner:

### Section 2.0: Local, State, and Federal Legislative Advocacy

- a. The Legislative, Funding, and Public Affairs Committee (LFPAC) receives periodic updates throughout the year regarding the District's legislative program. When LFPAC determines that proposed legislation may affect District business, it may direct the General Manager to prepare a recommendation for consideration by the full Board or may direct the General Manager to take action to support or oppose the legislation without full Board approval when there is not adequate time to convene the full Board. In such cases, the General Manager or designee shall report to the Board any actions taken to support or oppose legislation at or before the next Board meeting.
- b. When time is so short that neither the full Board nor LFPAC can be convened to consider positions to support or oppose local, state or federal legislation, the General Manager is authorized to take a position on behalf of the District if the legislation:
  - i. Is related to the District's mission; AND
  - ii. Would directly impact the District's business, such as project delivery, operations, finances, legal authority, or other District responsibilities; AND
  - iii. The position being taken is consistent/inconsistent with existing District policy, past action, or the District's annual [Strategic Plan Goals and Objectives](#); OR

- iv. The legislation carries other considerations that make it contrary to the District's interests.

In such instances, the General Manager or designee shall report to the Board any actions taken to support or oppose the legislation at or before the next Board meeting.

- c. Full Board action is required regarding legislation that is not clearly within the criteria listed above under Section 2.b. or guided by direction previously given by LFPAC.

All legislation on which the District takes a position will be closely tracked by the General Manager's Office (GMO) and reported to the Board of Directors. Public Affairs staff will be responsible for reporting similar information to key departments. Contracted state advocacy teams will represent District interests based upon the policies contained in the Legislative Session Program. In addition to District position letters, Board members and District staff may be asked to testify before or meet with relevant legislators or members of the executive branch to discuss issues requiring heightened advocacy. If this is the case, District staff must first notify and/or confirm approval of the GMO to ensure that positions taken are consistent with the Board-approved Legislative Session Program.

## District Legislative Priorities

The following are the legislative priorities for the Midpeninsula Regional Open Space District during the 2020 State Legislative Session. Annual priority-setting considers a combination of issues that relate directly to important District-led projects or initiatives, opportunities to support or oppose state legislative initiatives sponsored by others that affect the District's mission, and any issues that are identified by the Board as particularly significant. Funding measures are the most common of these priorities and are generally tied to the creation of new funding sources or the processes that prescribe the allocation of existing funding sources. The 2020 legislative priorities are listed and grouped below consistent with the Board's annual Strategic Plan Goals and Objectives (See Appendix A) to provide a clear connection to agency priorities:

### Goal 1: Promote, establish, and implement a common environmental protection vision with partners

1. **Wildlife Corridors:** Greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.
2. **Anticoagulant Rodenticides:** Eliminate the use of second-generation anticoagulant rodenticides to protect raptors, large mammals and other nontarget native wildlife.

### Goal 2: Protect the positive environmental values of open space lands

1. **Responsible Wildland Fire Vegetation Management:** Effective guidelines for wildland fire fuel reduction efforts that minimize potential impacts to rare and endangered species and the risk of exacerbating the spread of invasive species.

### Goal 3: Connect people to open space and a regional environmental protection vision

1. **Equitable Access:** Expanded access to and enhanced funding eligibility for new and improved greenspace opportunities for underserved communities.
2. **Trail Corridors:** Linking of preserve trails to regional trails and ultimately to the places where people live and work.

### Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

1. **Climate Change Bond:** Climate change funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in the Bay Area.
2. **Proposition 68 Implementation:** Efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that the resulting grant programs support District opens space and public access projects.
3. **Cap and Trade/Climate-Related Funding:** Funding that supports the climate resiliency

benefits of open space and working lands, including carbon sequestration.

4. **Green Bonds:** Efforts to allow the California Natural Resources Agency to work with the State Treasurer's Office to develop standards for green bond projects, in which California can invest.
5. **Public Safety Power Shutoffs:** State efforts to ease the burden of PG&E Public Safety Power Shutoffs on local agency operations.

## District Legislative Policy Positions

The ability of the District to deliver its mission and remain a sustainable organization can be impacted by legislation proposed on the local, state or federal level. To this end, proactive, Board-approved policy positions taken by the District on a variety of relevant issue areas help to ensure consistency in advocacy. District policy positions are then grouped by strategic plan goals.

### Goal 1: Promote, establish, and implement a common environmental protection vision with partners

1. Enhances the purchase or acquisition of regional and strategic open space lands and connects District lands to federal, state, county, city and other protected open space, parklands, bay lands, watershed lands, wildlife corridors and agricultural lands.
2. Protects public open space, property rights, interests and easements.
3. Enhances and funds regional collaboration and coordination of conservation efforts.
4. Promotes the use of urban infill and urban growth boundaries to avoid sprawl and prevent pressure on developing open spaces and further encroachment into the wildland-urban interface and open space buffer areas.
5. Expands and restores protected open space lands to enhance biodiversity, climate change resilience, and scenic, rural character.
6. Ensures that the zoning of permanently protected lands supports activities that further the District's mission (preservation, natural resource protection, public access and education, agriculture).
7. Enhances the District's ability to create and pursue opportunities to acquire an integrated greenbelt of protected open space, trails and habitat corridors.
8. Protects natural and working lands from future development threats.

### Goal 2: Protect the positive environmental values of open space lands

1. Ensures reasonable setback requirements that allow minimum defensible space clearances to be met by private property owners to prevent catastrophic fires that damage habitats and pose a high public safety hazard.

2. Further implementation of Senate Bill 32 (2016), the Global Warming Solutions Act that establishes a greenhouse gas (GHG) reduction target for the state of 40 percent below 1990 levels by 2030.
3. Recognizes and incentivizes the use of natural and working lands for the purpose of carbon sequestration.
4. Supports effective and comprehensive Districtwide, regional and statewide measures that respond to sea level rise and other effects of climate change and enhance ecological and community resilience.
5. Enhances or streamlines the integration of wildlife corridors into transportation infrastructure and promotes its ongoing maintenance within District lands and adjacent entities, which may extend to statewide and international linkages.
6. Promotes advance mitigation programs to enhance wildlife corridor networks.
7. Connects habitats that support a diverse array of native plants and animals.
8. Encourages public road management agencies to control invasive plant populations and incorporate safe pedestrian and wildlife crossings across roadways and highways.
9. Eliminates the use of second-generation anticoagulant rodenticides.
10. Supports increased knowledge, management and ultimately the eradication of Sudden Oak Death disease.
11. Provides permit exemptions for natural resources protection and restoration projects from regulations aimed to protect the natural environment from typical development projects.
12. Supports maintaining state and federal lists of endangered species justified through conclusive biological evidence.
13. Helps efforts to protect, conserve, restore and enhance the natural resources of the District, its coast, and adjacent waters for environmentally sustainable and prudent use by current and future generations.
14. Enables Native American communities' involvement in cultural and land management practices to restore and protect natural resources and enhance landscape resilience.
15. Protects and restores watersheds, water quality, natural water courses, wetlands and hydrologic processes consistent with the District's Resource Management Plan.
16. Promotes expedited removal of select trees and brush by public agencies for fire protection, public safety and enhanced climate resilience, while minimizing potential impacts to rare and endangered species and the risk of exacerbating the spread of invasive species.
17. Supports wildland fire management to become a more natural component of the ecosystem and minimizes its negative effects on the community and environment.
18. Supports working farms and ranches on public open space land that further conservation and climate resilience goals.
19. Supports the creation of and repairs to farm labor housing to foster farm operation sustainability that ultimately furthers conservation and climate resilience goals.

20. Incentivizes agricultural operations to invest in energy-efficient and water-efficient irrigation technologies that reduce greenhouse gas emissions and water use.
21. Aids enforcement of marijuana laws related to the implementation of Prop 64 (2016) to protect natural lands from the destruction caused by illegal marijuana grows.
22. Protects natural lands from the destruction caused by illegal marijuana grows, prohibits marijuana grows on public lands, and restores damaged habitats.

### Goal 3: Connect people to open space and a regional environmental protection vision

1. Helps expand educational opportunities for underserved and non-English speaking communities about natural resources and the benefits of open space.
2. Promotes volunteer involvement and engagement of diverse communities in ongoing conservation, restoration, enhancement and interpretation of the District's natural resources.
3. Engages children and parents in the enjoyment and appreciation of outdoor open spaces to inspire the next generation of conservation champions.
4. Funds and enables programs that hire youth to work in parks and open space and encourages them to consider careers in conservation.
5. Keeps preserves safe, clean, accessible and inviting for healthy exercise and enjoyment.
6. Promotes awareness and access to programs and activities that increase outdoor physical activity.
7. Protects and helps fund the protection and public interpretation of cultural and historic resources located on natural open space and working lands.
8. Helps fund and streamline emergency repairs to District infrastructure, including trails and public access amenities.
9. Increases public access to preserved land regionwide.
10. Helps link preserve trails to other regional trails and ultimately to the places where people live and work.
11. Improves local transportation to enable better connectivity between communities and open space preserves.
12. Limits public use of drones (unmanned aerial vehicles) consistent with Board policies to preserve the tranquility of outdoor experiences, natural activities, and minimize risk of wildfire.

### Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

1. Preserves existing tax revenues and tax authority.
2. Lowers the vote threshold for locally imposed special taxes from two-thirds to 55 percent.

3. Preserves tax-exempt status for municipal bonds on a state and federal level.
4. Expands state and federal incentives that promote the issuance of green bonds.
5. Preserves and promotes managerial discretion in effective and productive recruiting, hiring, firing and day-to-day oversight of staff at all levels.
6. Preserves and promotes open, transparent, accountable government administrative practices that promote the efficient and timely delivery of public services, facilitate public involvement, and support effective and timely decision-making.
7. Maintains prevailing wage exemptions for volunteers.
8. Enables statewide efforts to increase broadband connectivity to public agency infrastructure in remote areas.
9. Preserves and promotes cost-effective, fair, and efficient contracting practices that give taxpayers the best value for their dollar.
10. Enables streamlining of contracting and bidding processes and attracts greater contractor and vendor competition.
11. Provides funding and funding flexibility to achieve mission-related goals including, but not limited to:
  - a. District operations and infrastructure
  - b. Integrated Pest Management
  - c. Programs that hire youth to work in parks and open space and encourages them to consider careers in conservation
  - d. Partnership approaches to environmental education and public outreach efforts at local and state levels.
  - e. Implementation of improvements that meet the Americans with Disability Act (ADA) and other accessibility standards in District preserves.
  - f. The protection of prime and sustainable agricultural lands, including investments in agricultural-support infrastructure.
  - g. Funding for local partners to receive technical support for agriculture and natural resources enhancement.
12. Promotes closer collaboration and coordination between regulatory agencies to enhance permit processing efficiency and reduces overall project costs.
13. Improves and streamlines permitting, CEQA review and compliance processes for emergency repairs, routine maintenance, habitat restoration, and public access projects.
14. Provides open space districts the authority to utilize a variety of contracting methods to construct projects, including design-build methodologies.
15. Promotes implementation of and education about sustainable design and construction, including but not limited to LEED buildings, stormwater treatment and runoff reduction, local (within 150-mile radius of project) contractor/consultant hiring, construction material reuse/recycling, and use of green/energy efficient materials and equipment.

## 2020 Regional/Local Priorities

Though there is a growing recognition of the importance of regional planning and coordination, local land use authority dominates California planning processes in both the built and natural environments.

In 2020, the District supports:

### **Plan Bay Area 2050**

Ratification of the final preferred scenario of the Plan Bay Area 2050 that curbs urban boundary expansion, more tightly integrates open space preservation and stewardship, and funds District priorities in adopted Priority Conservation Areas (PCA).

### **San Francisco Bay Restoration Authority Measure AA Implementation**

Grant program guidelines for SFBRA's Measure AA funds that enable implementation of District priority projects.

### **Santa Clara Valley Transportation Authority Measure B Implementation**

Advance mitigation allocation guidelines for VTA's recently passed Measure B funds that enable implementation of District priority projects.

### **San Mateo County Transit District Measure W Implementation**

Allocation guidelines that enable regional bicycle/pedestrian network connectivity with District projects and regional trail plans.

### **Regional Collaboration**

Efforts to enhance and fund regional collaboration and coordination of conservation plans.

## 2020 Federal Legislative Priorities

Given the outcomes of the 2016 federal elections, active advocacy at the federal level may be most effectively directed toward protecting existing environmental priorities and regulations.

In 2020, the District will focus on the following:

### **Land and Water Conservation Fund**

Fully funding the federal Land and Water Conservation Fund.

### **Infrastructure Investment**

Inclusion of active transportation and parks-related projects in federal funding allocations for infrastructure.

### **National Monument Preservation**

Policies that protect and designate national monuments within our region that are important to fulfilling the District's mission.

### **Wildlife Corridors**

Policies that enhance habitat connectivity on nonfederal lands through wildlife crossings and other habitat connectivity projects.

## Appendix A:

### Midpeninsula Regional Open Space Strategic Plan for FY2020-21

Online at: [https://www.openspace.org/sites/default/files/StrategicPlan\\_2021.pdf](https://www.openspace.org/sites/default/files/StrategicPlan_2021.pdf)

#### Goal 1 – Promote, establish, and implement a regional environmental protection vision with partners

- Objective 1 – Continue implementation of the District’s Vision Plan and communicate progress on projects through reporting results and building partner relationships
- Objective 2 –Build and strengthen diverse partnerships to implement a collaborative and science-based approach to regional environmental protection
- Objective 3 – Build and strengthen relationships with legislators to advocate environmental protection goals
- Objective 4 – Preserve open space lands of local and regional significance

#### Goal 2 – Protect the positive environmental values of open space lands

- Objective 1 – Take a regional leadership role in promoting the benefits of open space
- Objective 2 – Protect and restore the natural environment in a manner that expands regional resiliency and climate change adaptation to preserve healthy natural systems
- Objective 3 – Work with fire agencies and surrounding communities to strengthen the prevention of, preparation for and response to wildland fires for enhanced ecosystem resiliency and public safety
- Objective 4 – Support the viability of sustainable agriculture and character of rural communities

#### Goal 3 – Connect people to open space and a regional environmental protection vision

- Objective 1 – Communicate the benefits of a regional environmental protection vision
- Objective 2 – Refine and implement a comprehensive public engagement strategy, including the outreach to diverse communities and enhanced public education programs
- Objective 3 – Expand opportunities to connect people to their public open space preserves consistent with an environmental protection vision
- Objective 4 – Reflect the diverse communities we serve in the District’s, staff, volunteers, and partners

#### Goal 4 – Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

- Objective 1 – Provide the necessary resources, tools, training, and infrastructure, including technology upgrades and capacity building

- Objective 2 – Continuously evaluate and improve processes and business model to effectively and efficiently deliver Vision Plan projects and the District's ongoing functions
- Objective 3 - Build state of readiness for potential disruptions by completing a risk assessment and creating a business continuity plan
- Objective 4 – Continue to engage constituents for bond sales and via the work of the Bond Oversight Committee – “Promises made, promises kept.”
- Objective 5 – Remain financially sustainable by pursuing and ensuring discretionary funding opportunities and partnerships to augment operating, capital, and bond funding sources, and ensure that large capital expenses and land acquisitions, including associated public access and land management costs, are evaluated within the long-term financial model and remain financially sustainable
- Objective 6 – Continue to recruit, develop and retain talented staff to implement the District's mission and strengthen our organizational capacity

**Midpeninsula Regional Open Space District****Board Policy Manual**

<b>Positions on Ballot Measures and Legislative Advocacy</b>	<b>Policy 1.11 Chapter 1 – Administration and Government</b>
Effective Date: 4/13/16	Revised Date: N/A
Prior Versions: N/A	

**Purpose**

To establish a policy governing positions on local and state ballot measures/propositions and state and federal legislative advocacy. It is intended to cover all matters before the Legislature and the voters.

**Definitions**

For the purposes of the *Positions on Ballot Measures and Legislative Advocacy* policy, the following terms and definitions shall be used:

*Measure* – may be included on a municipal, county, or district ballot and includes ordinances, initiatives, referenda, advisory measures, issuance or refunding of bonds, city or county charter amendments, or any other measure or proposition a legislative body may submit to the voters within the body's jurisdiction.

*Ballot Proposition* – can be a referendum or an initiative measure that is submitted to the electorate for a direct decision or direct vote. Propositions may be placed on the ballot by the California State Legislature or by a qualifying petition signed by registered voters.

*Initiative* – power of the electors to propose legislation, and to adopt or reject them. Any proposed ordinance may be submitted to the legislative body by means of a petition.

*Referendum* – applies to the process for repealing newly enacted legislation. Within specified time limits, the electors may file a petition protesting the adoption of that legislation.

*Local Legislation* – typically ordinances, which are the laws of a city, charter, or district, often having the force of law, but only within the local jurisdiction.

*State or Federal Legislation* – bills or proposed legislation under consideration by the legislature at the state or federal level.

## Policy

1. Positions on Matters Before the Voters
  - a. From time to time the Board of Directors may be asked or may desire to take a position on local or state measures. The Board may consider taking a position on the measure/proposition if the measure/proposition:
    - i. Would directly impact the District's finances, responsibilities, legal authority, or operations; AND
    - ii. Is in line with or inconsistent with the District's mission and/or commitment to preserve open space within its boundaries and sphere of influence.The Board, by majority vote, may direct the General Manager to research the measure/proposition and return to the Board at a future meeting with information and a General Manager recommendation. At that time, the Board may vote to take a position on a measure/proposition.
  - b. Measures/propositions determined to not impact District business may nonetheless be analyzed by the General Manager when directed by a majority vote of the Board, of which the analysis report would include possible alternatives for Board action, but no position recommendation.
2. Local, State, and Federal Legislative Advocacy
  - a. The Legislative, Funding, and Public Affairs Committee (LFPAC) receives periodic updates regarding the District's legislative program. When LFPAC determines that proposed legislation may affect District business, it may direct the General Manager to prepare a recommendation for consideration by the full Board or where there is not adequate time to convene the full Board, may direct the General Manager to take action to support or oppose the legislation without full Board approval. In such cases, the General Manager or designee shall report to the Board any actions taken to support or oppose legislation at or before the next Board meeting.
  - b. When time is so short that neither the full Board nor LFPAC can be convened to consider positions to support or oppose local, state or federal legislation, the General Manager is authorized to take a position on behalf of the District if the legislation:
    - i. Is related to the District's mission; AND
    - ii. Would directly impact the District's business, such as project delivery, operations, finances, legal authority, or other District responsibilities; AND
    - iii. The position being taken is consistent/inconsistent with existing District policy, past action, or District Strategic Plan; OR
    - iv. The legislation carries other considerations that make it contrary to the District's interests.In such instances, the General Manager or designee shall report to the Board any actions taken to support or oppose the legislation at or before the next Board meeting.
  - c. Full Board action is required regarding legislation that is not clearly within the criteria listed above under Section 2.b. or guided by direction previously given by LFPAC.

3. Full Board action is required to support or oppose any type of grassroots advocacy action, such as social, political, or economic movements, that are not legislation.
4. Board members representing the District in their official capacity on regional or other bodies may, at his or her discretion, take actions based on the principles above consistent with previously approved Board positions and policies.
5. This policy is not intended to limit the prerogative of individual Board members from expressing their individual support for or opposition to any local ballot measure, State proposition, State or Federal legislation, or grassroots advocacy actions. However, in doing so, the member should clearly state they are speaking for themselves, and not in an official capacity on behalf of the Board or the District. Individual Board Members who take a position in support or opposition to ballot measure or legislation for which the Board has not previously taken a position are encouraged as a professional courtesy to include the language *for identification purposes only* parenthetically following their signature referencing their position on the Board.



Midpeninsula Regional  
Open Space District

## MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

### LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

**Tuesday, January 28, 2020**

### DRAFT MINUTES

#### **CALL TO ORDER**

Director Hassett called the meeting of the Legislative, Funding, and Public Affairs Committee to order at 2:00 p.m.

#### **ROLL CALL**

Members present: Larry Hassett and Zoe Kersteen-Tucker

Members absent: Jed Cyr

Staff present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Governmental Affairs Specialist Joshua Hugg

#### **ORAL COMMUNICATIONS**

No speakers present.

#### **ADOPTION OF AGENDA**

**Motion:** Director Kersteen-Tucker moved and Director Hassett seconded the motion to adopt the agenda.

**VOTE: 2-0-0** (Director Cyr absent)

#### **COMMITTEE BUSINESS**

##### **1. Select Committee Chair for Calendar Year 2020**

Public comment opened at 2:00 p.m.

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No speakers present.

Public comment closed at 2:00 p.m.

**Motion:** Director Hassett moved, and Director Kersteen-Tucker seconded the motion to select Director Kersteen-Tucker as Committee Chair for Calendar Year 2020.

**VOTE: 2-0-0** (Director Cyr absent)

**2. Approve the October 8, 2019 Legislative, Funding, & Public Affairs Committee Meeting Minutes.**

**Motion:** Director Hassett moved, and Director Kersteen-Tucker seconded the motion to approve the October 8, 2019 Legislative, Funding, and Public Affairs committee meeting minutes.

Public comment opened at 2:01 p.m.

No speakers present.

Public comment closed at 2:01 p.m.

**VOTE: 2-0-0** (Director Cyr absent)

**3. Draft 2020 Legislative Program (R-20-14)**

Governmental Affairs Specialist Joshua Hugg described the District's legislative program, its purposed, and reviewed the District's legislative priorities for the upcoming 2020-21 legislative session, including supporting efforts to eliminate the use of second-generation anticoagulant rodenticides, effective guidelines for wildland fire fuel reduction, and supporting wildlife and trail corridors. Additionally, the District seeks to strengthen organizational capacity and long-term financial sustainability to fulfill the mission, such as through a potential climate change bond, Proposition 68 implementation, and issuance of green bonds.

Director Kersteen-Tucker suggested including the environmental values of "working lands" in Goal 2 for the next year.

Mr. Hugg reported regional priorities include seeking grant and mitigation opportunities through implementation of several regional funding measures through, such as San Francisco Bay Restoration Authority Measure AA and Santa Clara Valley Transportation Authority Measure B. Federal priorities include advocating for fully funding the federal Land and Water Conservation Fund, supporting policies that protect and designate national monuments within our region, and supporting habitat connectivity projects.

Director Kersteen-Tucker suggested remaining up to date on the "Connect the Coast" initiative to ensure District trails in the coastal areas connect to regional trails.

Director Kersteen-Tucker requested a future update on SB50 related to affordable housing requirements and whether there is a "carve-out" for coastal communities.

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Mr. Hugg provided a general overview of SB50 and reported additional information may be provided at the next committee meeting.

Public comment opened at 2:39 p.m.

No speakers present.

Public comment closed at 2:39 p.m.

**Motion:** Director Hassett moved, and Director Kersteen-Tucker seconded the motion to approve the motion to forward a recommendation to the Board of Directors for approval with any additional changes to the Legislative Program requested by the committee.

**VOTE: 2-0-0** (Director Cyr absent)

General Manager Ana Ruiz reported staff may be further consolidating the legislative priorities before they are presented to the Board of Directors, but no substantive changes will be made.

Mr. Hugg provided an update on statewide and regional issues that do not directly affect the District's immediate interests or are related to the built and urban environments as opposed to open space.

Ms. Ruiz provided comments related to the possibility of the District taking an increased role in advocating for various regional issues that may not have a direct impact or nexus on the District's mission.

Director Hassett spoke in favor of focusing District resources on issues that are not directly within the District's mission citing concerns about staff and District capacity to advocate for a wide range of issues.

Director Kersteen-Tucker agreed and shared her concerns regarding District capacity to advocate for a wide range of issues. Director Kersteen-Tucker suggested that the Board may weigh in on these issues on an ad hoc basis and determine where the District can have the greatest impact.

**ADJOURNMENT**

Director Kersteen-Tucker adjourned the meeting of the Legislative, Funding, and Public Affairs Committee at 2:52 p.m.

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Jennifer Woodworth, MMC  
District Clerk