



Midpeninsula Regional
Open Space District

R-21-25
Meeting 21-05
February 10, 2021

AGENDA ITEM 7

AGENDA ITEM

2021 Legislative Program

GENERAL MANAGER'S RECOMMENDATION

Adopt the 2021 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 2021 Legislative Program on February 2, 2021 and provided comment and guidance on the legislative policy proposals. Staff incorporated LFPAC comments into the revised 2021 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 Draft 2021 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/sites/default/files/FY22%20Strategic%20Plan%20Goals%20and%20Objectives_Board%20Adopted.pdf). Annual priority setting is informed by Board-approved projects or 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.

- **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 crystalize thinking among Board members and staff to 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.

Legislative Priorities

The proposed policy positions and priorities in the 2021 draft Legislative Program incorporate recent input received from LFPAC and District departments. The proposed legislative priorities are also grouped according to the Board’s Strategic Plan Goals and Objectives to reinforce organizational alignment with Board priorities. Below are the proposed policy priorities:

State-Level Priorities:

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

1. **Wildlife Corridors:** Enable greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.

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

1. **Ecologically Sensitive Vegetation Management:** Promote effective guidelines and funding 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. **Green Jobs for Youth:** Enable greater numbers of youth to participate in conservation careers.
2. **Equitable Access:** Expand access to and enhance funding eligibility for greenspace opportunities for underserved communities.

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

1. **Nuisance Abatement Powers:** Pursue state legislation that enables special districts created by Public Resources Code 5500 to possess nuisance abatement powers and the ability to recover costs incurred abating those nuisances, including attorney’s fees. This would invoke the same statutory authority that a city, county, and certain other types of special districts have.
2. **Climate Change Bond:** Pursue climate change-related funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in

the Bay Area.

3. **Cap and Trade Funding:** Channel state cap and trade funding to support the climate resiliency benefits of open space and working lands, including carbon sequestration.
4. **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.

Regional-Level Priorities:

1. **Plan Bay Area 2050:** Ratification of the final preferred scenario of Plan Bay Area 2050 that curbs urban boundary expansion, more tightly integrates open space preservation and stewardship, and funds Priority Conservation Areas (PCA).
2. **Regional Housing Needs Allocation:** Ensure regional housing allocations and zoned housing locations do not impact sensitive habitats, wildlife corridors, and areas at high risk for wildfire.
3. **Regional Collaboration:** Expand funding and enhance opportunities for regional collaboration and coordination of conservation and public access plans.
4. **Active Transportation Programs:** Expand funding for the construction of bicycle/pedestrian paths, installation of bike racks and other projects and programs that make walking or biking easier, safer and more convenient.

Federal-Level Priorities:

1. **Land and Water Conservation Fund:** Support implementation of the Great American Outdoors Act and funding guidelines that allow District projects to be eligible for the federal Land and Water Conservation Fund.
2. **Infrastructure Investment:** Support inclusion of active transportation and parks/open space-related projects in federal funding allocations for infrastructure.
3. **National Monument Preservation:** Support policies that protect and designate national monuments within our region that are important to fulfilling the District's mission.
4. **Wildlife Corridors:** Support 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, based on the 2021 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 February 2, 2021. Among the issues raised were:

1. Add language to Goal 2, Policy Position #8 emphasizing the benefits of local contracting with regard to the potential to reduce greenhouse gas generation in support of the District's adopted Climate Action Plan.

Due to the format of Policy Position #8 and the challenge of cleanly integrating the new language, the amendment was added as an additional position, #9: *“Enables contracting methods that aid greenhouse gas emission reductions and support the implementation of the Board-adopted Climate Action Plan.”*

2. After deliberation, it was decided by the Committee that the program document should be updated to include consideration of public sensitivity for when the General Manager considers taking a legislative position on behalf of the District. Language has been added accordingly on page 4 of the document.

The proposed 2021 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 2021 Legislative Program. LFPAC and the Board will receive periodic updates on the status of the legislative priorities and policies throughout the year.

Attachments:

1. Draft 2021 Legislative Session Program
2. Board Policy 1.11: Positions on Ballot Measures and Legislative Advocacy
3. LFPAC Committee Draft Minutes from February 2, 2021.

Responsible Department Head:
Korrine Skinner, Public Affairs Manager

Prepared by:
Joshua Hugg, Governmental Affairs Specialist

*Note: Edits requested by the
Legislative, Funding, and Public
Affairs Committee are shown in
tracked changes.*

Midpeninsula Regional Open Space District Legislative Program 2021

DRAFT

Adopted **TBD**



Contents

Introduction	4
Advocacy of the District’s Interests.....	4
Legislative Priorities	6
Goal 1: Promote, establish, and implement a regional environmental protection vision with partners.....	6
Goal 2: Protect the positive environmental values of open space and agricultural lands.....	6
Goal 3: Connect people to open space and a regional environmental protection vision.....	6
Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission.....	6
Legislative Policy Positions	7
Goal 1: Promote, establish, and implement a regional environmental protection vision with partners:.....	7
Goal 2: Protect the positive environmental values of open space and agricultural lands:.....	8
Goal 3: Connect people to open space and a regional environmental protection vision.....	9
Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission.....	10
2021 Regional/Local Priorities	12
Plan Bay Area 2050	12
Regional Housing Needs Allocation	12
Regional Collaboration.....	12
Active Transportation Programs	12
2021 Federal Legislative Priorities	13
Land and Water Conservation Fund.....	13
Infrastructure Investment	13
National Monument Preservation	13
Wildlife Corridors.....	13
Appendix A:.....	14
Midpeninsula Regional Open Space Strategic Plan for FY2021-22.....	14
Goal 1 – Promote, establish, and implement a regional environmental protection vision with partners.....	14
Goal 2 – Protect the positive environmental values of open space and agricultural lands...	14

Goal 3 – Connect people to open space and a regional environmental protection vision..... 14

Goal 4 – Strengthen organizational capacity and long-term financial sustainability to fulfill the mission 15

DRAFT

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 Coastside Protection Area Service Plan, a Coastside 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 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 action on various proposed policies and state or federal budget items. In those instances where time is so short that neither the full Board, nor LFPAC, can be convened to consider a particular legislative position, the General Manager will take action through Board Policy 1.11 utilizing appropriate due diligence and consideration of public sensitivity, which may include consultation with the Board President.

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 legislative consultants 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 from the GMO to ensure that positions taken are consistent with the Board-approved Legislative Session Program.

Legislative Priorities

The following are the legislative priorities for the Midpeninsula Regional Open Space District during the 2021 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 2021 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 regional environmental protection vision with partners

1. **Wildlife Corridors:** Enable greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.

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

1. **Ecologically Sensitive Vegetation Management:** Promote effective guidelines and funding 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. **Green Jobs for Youth:** Enable greater numbers of youth to participate in conservation careers.
2. **Equitable Access:** Expand access to and enhance funding eligibility for greenspace opportunities for underserved communities.

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

1. **Nuisance Abatement Powers:** Pursue state legislation that enables special districts created by Public Resources Code 5500 to possess nuisance abatement powers and the ability to recover costs incurred abating those nuisances, including attorney's fees. This would invoke the same statutory authority that a city, county and some other types of special districts have.
2. **Climate Change Bond:** Pursue climate change-related funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in

the Bay Area.

3. **Cap and Trade Funding:** Channel state cap and trade funding to support the climate resiliency benefits of open space and working lands, including carbon sequestration.
4. **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.

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 grouped by strategic plan goals.

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

1. Enhances the ability to acquire open space lands consistent with District policies and goals.
2. Protects public open space as well as associated 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 prevents pressure to develop 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. Protects natural and working lands from future development threats.
8. Supports land protection and biodiversity goals set forth by Governor Newsom's Executive Order N-82-20 on October 7, 2020.

Goal 2: Protect the positive environmental values of open space and agricultural 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. Furthers 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 and streamlining for natural resources protection and restoration 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 as a more natural component of the ecosystem.
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. Protects natural lands from the destruction caused by illegal marijuana grows, prohibits marijuana grows on public lands, and restores damaged habitats.
22. Supports efforts to create and make available more complete sets of data for managing natural and working lands.

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 and increases public appreciation for the environment.
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 the use of open space for health-supporting activities.
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. Facilitates linkages between preserve trails and 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.
13. Supports advances in broadband and telecommunications technology that provide internet access in open space.
14. Supports federal, state and regional programs that provide local mobility alternatives for all residents.

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 and workers compensation exemptions for volunteers.
8. Preserves and promotes streamlined, cost-effective, fair, and efficient contracting practices that give taxpayers the best value for their dollar and attracts greater contractor and vendor competition, particularly among local providers.
- 8.9. Enables contracting methods that aid greenhouse gas emission reductions and support the implementation of the Board-adopted Climate Action Plan.

~~9~~10. _____ Provides funding and funding flexibility to achieve mission-related goals including, but not limited to:

- a. District operations and infrastructure
- b. Integrated Pest Management and ecologically sensitive vegetation management
- c. Wildfire prevention and fuel reduction
- d. Programs that hire youth to work in parks and open space and encourages them to consider careers in conservation
- e. Partnership approaches to environmental education and public outreach efforts at local and state levels.
- f. Implementation of improvements that meet the Americans with Disability Act (ADA) and other accessibility standards in District preserves.
- g. The protection of prime and sustainable agricultural lands, including investments in agricultural-support infrastructure.
- h. Funding for local partners to receive technical support for agriculture and natural resources enhancement.

~~10~~11. _____ Promotes closer collaboration and coordination between regulatory agencies to enhance permit processing efficiency and reduces overall project costs.

~~11~~12. _____ Improves and streamlines permitting, CEQA review and compliance processes for emergency repairs, routine maintenance, habitat restoration, and public access projects.

~~12~~13. _____ Provides open space districts the authority to utilize a variety of contracting methods to construct projects, including design-build methodologies.

~~13~~14. _____ Promotes implementation of and education about sustainable design and construction, including but not limited to LEED buildings, stormwater treatment and runoff reduction, local (within 50-mile radius of a project) contractor/consultant hiring, construction material reuse/recycling, and use of green/energy efficient materials and equipment.

2021 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 2021, 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 Priority Conservation Areas (PCA).

Regional Housing Needs Allocation

Ensure regional housing allocations and zoned housing locations do not impact sensitive habitats, wildlife corridors, and areas at high risk for wildfire.

Regional Collaboration

Expand funding and enhance opportunities for regional collaboration and coordination of conservation and public access plans.

Active Transportation Programs

Expand funding for the construction of bicycle/pedestrian paths, installation of bike racks and other projects and programs that make walking or biking easier, safer and more convenient.

2021 Federal Legislative Priorities

Given the outcomes of the 2020 federal elections, active advocacy at the federal level may once again be beneficial.

In 2021, the District will focus on the following:

Land and Water Conservation Fund

Support implementation of the Great American Outdoors Act and funding guidelines that allow District projects to be eligible for the federal Land and Water Conservation Fund.

Infrastructure Investment

Support inclusion of active transportation and parks/open space-related projects in federal funding allocations for infrastructure.

National Monument Preservation

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

Wildlife Corridors

Support 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 FY2021-22

Online at:

https://www.openspace.org/sites/default/files/FY22%20Strategic%20Plan%20Goals%20and%20Objectives_Board%20Adopted.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 and other elected officials to advocate environmental protection goals
- Objective 4 – Preserve open space and agricultural lands of local and regional significance

Goal 2 – Protect the positive environmental values of open space and agricultural 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 and District achievements in protecting natural and working lands while maintaining a high quality of life
- Objective 2 – Refine and implement a comprehensive public engagement strategy, including the outreach to diverse communities and enhanced public education programs
- Objective 3 – Consistent with a regional environmental protection vision, expand opportunities including multi-modal options to equitably connect all people to their public open space preserves.
- Objective 4 – Reflect the diverse communities we serve in the District’s visitors, 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 – Maintain a state of readiness for potential disruptions
- Objective 4 – Remain financially sustainable by preparing for, pursuing, and ensuring discretionary funding opportunities and partnerships
- Objective 5 – Ensure 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

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

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

The Committee conducted this meeting in accordance with California Governor Newsom's Executive Order N-29-20. All Board members and staff participated via teleconference.

Tuesday, February 2, 2021

DRAFT MINUTES

CALL TO ORDER

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

ROLL CALL

Members present: Jed Cyr, Larry Hassett, and Karen Holman

Members absent: None

Staff present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Governmental Affairs Specialist Josh Hugg

District Clerk Jennifer Woodworth announced this meeting is being held in accordance with Governor Newsom's Executive Order allowing Committee members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website. Ms. Woodworth described the process and protocols for the meeting.

ORAL COMMUNICATIONS

Ms. Woodworth reported no public comments had been submitted.

ADOPTION OF AGENDA

LFPAC
February 2, 2021

Page 2

Motion: Director Hassett moved, and Director Holman seconded the motion to adopt the agenda.

ROLL CALL VOTE: 3-0-0

COMMITTEE BUSINESS

1. Select Committee Chair for Calendar Year 2021

Director Hassett nominated Director Cyr to serve as the Committee Chair for calendar year 2021.

Director Cyr accepted the nomination.

Public comment opened at 2:02 p.m.

No speakers present.

Public comment closed at 2:02 p.m.

Motion: Director Holman moved, and Director Hassett seconded the motion to close nominations for Committee Chair.

ROLL CALL VOTE: 3-0-0

Motion: Director Hassett moved, and Director Cyr seconded the motion to select Director Cyr as Committee Chair for Calendar Year 2021.

ROLL CALL VOTE: 3-0-0

2. Approve the November 17, 2020 Legislative, Funding, & Public Affairs Committee Meeting Minutes.

Motion: Director Hassett moved, and Director Cyr seconded the motion to approve the November 17, 2020 Legislative, Funding, and Public Affairs committee meeting minutes.

Public comment opened at 2:05 p.m.

District Clerk Jennifer Woodworth reported no public comments had been submitted.

Public comment closed at 2:05 p.m.

ROLL CALL VOTE: 2-0-0 (Director Holman abstained)

3. Draft 2021 Legislative Program (R-21-20)

Governmental Affairs Specialist Joshua Hugg described the District's legislative program, its purposed, and reviewed the District's legislative priorities for the upcoming 2021-22 legislative session, including supporting efforts to promote effective guidelines for wildland fire fuel reduction, expand the number of green jobs for youth and expand access to greenspace for

underserved communities, sponsoring legislation to support nuisance abatement powers (similar to other local agencies), and pursuing climate change-related funding to benefit a wide range of open space priorities. Additionally, the District seeks to strengthen organizational capacity and long-term financial sustainability to fulfill the mission, such as supporting efforts by the California Natural Resources Agency to streamline permitting processes for environmental restoration and stewardship projects.

Director Hassett requested clarification regarding nuisance abatement powers.

General Counsel Hilary Stevenson described situations where the District encountered nuisances such as stream diversions, illegal dumping of vegetation on District lands, etc., which could require criminal proceedings. This legislation would create administrative remedies for addressing impacts to District lands from nuisances, including recovering costs incurred when abating nuisances.

Mr. Hugg reported proposed regional priorities include monitoring Plan Bay Area 2050 and Regional Housing Needs Allocation to curb open boundary expansion and preserve open space lands in order reduce the impact on sensitive habitats, wildlife corridors, and areas at high risk for wildfires.

Director Holman commented the District's positions on these two initiatives need to be sensitive due to the controversial nature of the issues and spoke in support of limiting the scope of the District's involvement.

Mr. Hugg agreed and stated the District's position is solely related to the potential encroachment of the built environment into natural and working lands.

Director Holman suggested funding may be available for Rancho San Antonio multimodal transit options through infrastructure improvement federal funding allocations.

Mr. Hugg agreed opportunities federal infrastructure funding may be possible for Rancho San Antonio transit options but the likelihood of receiving funding is currently unknown.

Director Hassett spoke in favor of promoting local vendors and contractors to support the District's Climate Action Plan goals and reduction of greenhouse gases.

Director Holman suggested additional clarification regarding specific District actions would be helpful to include in the staff report.

Mr. Hugg stated additional information and proposed District positions regarding specific legislation will come forward as legislation is introduced at the regional, state, and federal level.

Public Affairs Manager Kori Skinner provided additional clarification regarding the District's legislative program and staff's review of legislation to determine when and if the District takes a position on specific legislation, which will occur later in the legislative session.

General Manager Ana Ruiz stated the District's legislative program helps guide her and staff to make a judgement call based on the Board's direction, the District's mission, Board-approved

LFPAC
February 2, 2021

Page 4

priorities, etc. Ms. Ruiz provided examples of when she and the Board have taken various types of action related to legislation, such as rodenticides, housing guidelines, etc.

Director Holman suggested the legislative program document should be updated to provide defined guidelines on when the District should take a legislative position on controversial and/or publicly sensitive legislation.

Director Hassett stated he did not currently see a need for further definitions.

Director Cyr stated the Committee could report on this discussion at the Board meeting, and suggested language could be included acknowledging that each legislative situation is unique, and awareness of the public's reaction to and the controversial nature of legislation should be evaluated.

Public comment opened at 3:15 p.m.

Ms. Woodworth reported no public comments were submitted.

Public comment closed at 3:15 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to approve the motion to forward a recommendation to the Board of Directors for approval of the Legislative Program with the addition of a guideline to the Legislative Program directing staff to evaluate the controversial nature and/or sensitivity of legislation and additional language promoting use of local vendors and contractors to support the District's Climate Action Plan goals and reduction of greenhouse gases, as requested by the committee.

ROLL CALL VOTE: 3-0-0

ADJOURNMENT

Director Cyr adjourned the meeting of the Legislative, Funding, and Public Affairs Committee at 3:23 p.m.

Jennifer Woodworth, MMC
District Clerk