



August 6, 2020

TO: LOCSD Board of Directors

FROM: Ron Munds, General Manager

SUBJECT: Agenda Item 7A – 8/06/2020 Board Meeting
Adopt a Legislative Advocacy Policy and Accompanying
Resolution #2020-18 Establishing the 2020 Legislative Policy
Priorities.

President
Charles L. Cesena

Vice President
Christine M. Womack

Directors
Matthew D. Fourcroy
Vicki L. Milledge
Marshall E. Ochylski

General Manager
Ron Munds

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

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DESCRIPTION

The purpose of the Legislative Advocacy policy is to guide Los Osos Community Services District's (District) Board of Directors and staff in considering legislative or regulatory proposals that are likely to have an impact on District, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited, the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency.

STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

Motion: I move that the Board:

- 1. Adopt the Legislative Advocacy Poly; and***
- 2. Adopt Resolution 2020- establishing District's Legislative Advocacy Priorities for 2020 and Appointing President Cesena as the Liaisons to the Board and General Manager Munds as Liaisons between the District and the California Special Districts Association.***

DISCUSSION

The purpose for identifying Legislative Advocacy Procedures is to provide clear direction to District staff with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to Legislative Advocacy Procedures will ensure that legislative inquiries and responses will be administered consistently with "one voice" as to the identified Advocacy Priorities adopted by the Board of Directors. The Legislative Advocacy Procedures and Advocacy Priorities will provide the Board President, District General Manager, or other designee, discretion to advocate in District best interests in a manner consistent with the goals and priorities adopted by the Board of Directors. This policy is intended to be manageable, consistent, and tailored to the specific needs and culture of the District.

This policy provides the Board President, the General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while

allowing the Board of Directors to set Advocacy Priorities to provide policy guidance. The Board of Directors, annually (typically the first meeting of the calendar year), shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, staff is authorized to take a position without further board approval.

Legislative Advocacy Procedures

As outlined in the policy, the General Manager, or other designee, will act on legislation utilizing the following procedures:

The General Manager or other designee shall review requests that the District take a position on legislative issues to determine if the legislation aligns with the District's current approved Advocacy Priorities.

- 1) The General Manager or other designee shall review requests that the District take a position on legislative issues to determine if the legislation aligns with the District's current approved Advocacy Priorities.
- 2) The General Manager or other designee will conduct a review of positions and analysis completed by the California Special Districts Association and other local government associations when formulating positions.
- 3) If the matter aligns with the approved priorities, District response shall be supplied in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the district, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager or designee. The General Manager or designee shall advise staff to administer the form of advocacy, typically via letters signed by the President or General Manager, on behalf of the Board of Directors.
- 4) All draft legislative position letters initiated by the General Manager or designee shall state whether the district is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the issue, and shall include adequate justification for the recommended action.
 - Support – legislation in this area advances the district's goals and priorities.
 - Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the district, or does not advance the district's goals and priorities.
- 5) The General Manager may also provide a letter of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation. Letters of concern or interest are to be administered through the General Manager or designee.
- 6) When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing the District shall be included as a copy or "cc" on the letter. If applicable, the appropriate contacts at the California Special Districts Association and other local government associations will be included as a cc on legislative letters.
- 7) A position may be adopted by the General Manager or designee if any of the following criteria is met:
 - The position is consistent with the adopted Advocacy Priorities;
 - The position is consistent with that of organizations to which the district is a member, such as the California Special Districts Association; or
 - The position is approved by the Board of Directors.

- 8) All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Directors at the next regularly scheduled Board Meeting. When appropriate, the General Manager or other designee will submit a report (either written or verbal) summarizing activity on legislative measures to the Board of Director.

FINANCIAL IMPACT

There is no direct financial impact associated with the recommended actions.

Attachments: Legislative Advocacy Policy
Resolution 2020-18

RESOLUTION NO. 2020-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS OSOS COMMUNITY SERVICES DISTRICT ESTABLISHING THE DISTRICT’S LEGISLATIVE ADVOCACY PRIORITIES FOR 2020 AND APPOINTING THE BOARD MEMBER AND STAFF PERSON TO ACT AS LIAISON BETWEEN THE DISTRICT AND THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

WHEREAS, an objective of the Board of Directors is to adopt a legislative advocacy priorities which strengthens local government, promotes District goals and defends the District against legislative actions by State and Federal governments that would weaken local government and/or take away traditional revenue sources; and

WHEREAS, it is vital to the fiscal health and the self determination of the District to effectively communicate with State Legislators and Federal representatives in order to favorably influence State and Federal legislation, regulations and grant requests; and

WHEREAS, the California Special Districts Association conducts a legislative analysis and advocacy program on behalf of cities for State issues and major Federal issues; and

WHEREAS, the District desires to be proactive and involved in the governmental decision- making processes directly affecting the District’s legislative priorities identified in Exhibit "A," and other selected issues as may from time to time be recommended by the California Special Districts Association.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LOS OSOS COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. Establish the Legislative Advocacy Priorities for 2020 as set forth in the attached "Exhibit "A and authorize the Board President and designated staff to take positions on legislation generally consistent with the Legislative Advocacy Priorities and such other resolutions and recommendations of the California Special Districts Association as may be from time to time presented to the Board.
2. Appoint President Charles Cesena to act as Board member’s legislative liaison and General Manager Ron Munds to act as staff legislative liaisons with the California Special Districts Association.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

Ayes: _____
 Noes: _____
 Abstain: _____
 Absent: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 6th day of August, 2020.

 Charles L. Cesena
 President, Board of Directors
 Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

 Ron Munds
 General Manager and Secretary to the Board

 Jeffrey A. Minnery
 District Legal Counsel

LOS OSOS COMMUNITY SERVICES DISTRICT LEGISLATIVE ADVOCACY PLATFORM FOR 2020

The following reflects those legislative matters on which the Board of Directors majority authorizes the Board President and General Manager to engage in legislative advocacy on behalf of the District. Per the District's Legislative Advocacy Policy, the Board's authorization extends only to advocacy for or against generally applicable legislative proposals being considered by local, regional, state and/or federal policy makers or regulators and does not extend to advocacy on any other matter unless specifically noted herein.

Revenue, Finances and Taxation

1. Supporting meaningful fiscal reform that allows each level of government to adequately finance its service responsibilities while continuing to support efforts to protect the District from loss of revenues due to State take-aways and unfunded State or Federal mandates.
2. Opposing initiatives that unduly burden and/or prohibit local government ability to support essential services to the community.
3. Support opportunities that allow the district to compete for its fair share of regional, state, and federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs. Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the district to maximize local revenues, offset and leverage capital expenditures, and maintain district goals and standards.

Human Resources and Personnel

1. Supporting California Special Districts Association positions on human resources issues such as workers' compensation reforms, pension and retiree health benefits reform efforts and other related initiatives.

Infrastructure, Innovation and Investment

1. Supporting increased availability of grant funding to replace aging infrastructure of all types, e.g. water, parks, and storm sewer systems, etc.
2. Supporting increased funding for flood protection, clean storm water and low impact infrastructure projects.
3. Supporting cooperation and prompt approval from Federal and State regulatory agencies (such as U.S. Fish and Wildlife Service, the Department of Fish & Wildlife and Regional Water Quality Control Board) for necessary projects involving District projects.
4. Supporting water conservation best management practices.

Exhibit A

5. Supporting the expansion of recycled water production and use.
6. Supporting the protection of water resources.
7. Supporting regional water resiliency initiatives.
8. Supporting federal and statewide funding of water infrastructure projects.

Los Osos Community Services District Legislative Advocacy Policy

1. Purpose

The purpose of the policy is to guide Los Osos Community Services District's (District) Board of Directors and staff in considering legislative or regulatory proposals that are likely to have an impact on District, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited, the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds.

The purpose for identifying Legislative Advocacy Procedures is to provide clear direction to District staff with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to Legislative Advocacy Procedures will ensure that legislative inquiries and responses will be administered consistently with "one voice" as to the identified Advocacy Priorities adopted by the Board of Directors. The Legislative Advocacy Procedures and Advocacy Priorities will provide the Board President, District General Manager, or other designee, discretion to advocate in District best interests in a manner consistent with the goals and priorities adopted by the Board of Directors. This policy is intended to be manageable, consistent, and tailored to the specific needs and culture of the District.

2. Policy Goals

- Advocate the District legislative interests at the State, County, and Federal levels.
- Inform and provide information to the Board of Directors and district staff on the legislative process and key issues and legislation that could have a potential impact on the district.
- Serve as an active participant with other local governments, the California Special Districts Association, and local government associations on legislative and regulatory issues that are important to the district and the region.
- Seek grant and funding assistance for District projects, services, and programs to enhance services for the community.

3. Policy Principles

The Board of Directors recognizes the need to protect District interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors.

This policy provides the Board President, the General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Directors to set Advocacy Priorities to provide policy guidance. The Board of Directors, annually (typically the first meeting of the calendar year), shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, staff is authorized to take a position without board approval.

Whenever an applicable Advocacy Priority does not exist pertaining to legislation affecting the District, the matter shall be brought before the Board of Directors at a regularly scheduled board meeting for formal direction from the Board of Directors.

Generally, the District will not address matters that are not pertinent to the district's local government services, such as social issues or international relations issues.

4. Legislative Advocacy Procedures

It is the policy of District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the District.

Monitoring legislation is a shared function of the Board of Directors and General Manager or designated staff. The Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:

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- 4) All draft legislative position letters initiated by the General Manager or designee shall state whether the district is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the issue, and shall include adequate justification for the recommended action.
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5. General Subjects of Advocacy Priorities

The general subjects that the advocacy priorities may include but not limited to are:

- Revenue, Finances and Taxation
- Governance and Accountability
- Human Resources and Personnel
- Infrastructure, Innovation and Investment