

# North Santa Clara Resource Conservation District (NSCRCD)

## Legislative Advocacy Policy

### I. GENERAL PROVISIONS

Governance. The Board of Directors (“Board”) for the North Santa Clara Resource Conservation District (“District”) consists of five members (“Director”). As the governing body for the District, the Board reviews and approves District policies. The Board has delegated responsibility for policy administration to the District’s Executive Director (“ED”), including but not limited to the development of procedures and internal controls to implement the policies.

Purpose of the Policy. The Board recognizes the need to protect the District’s interests and local control, and to identify various avenues to implement its strategic and long-term goals. The purpose of this policy is to guide the Board, ED, and District Counsel in considering legislative or regulatory proposals likely to have an impact on the District, and to provide the ED with discretion to proactively advocate in the best interest of the District in a timely manner consistent with the advocacy priorities adopted by the Board.

Policy Revisions. The Executive Director reviews policies annually for compliance with applicable laws and regulations, and prepares recommendations as needed for the Board of Directors to review and approve.

Statement of Non-Discrimination. The District conducts its business on a non-discriminatory basis, without regard to race, creed, color, national origin, ancestry, sexual orientation, political affiliation or beliefs, religion, gender, gender identity or gender expression, age, physical and invisible disability, medical condition, marital status or pregnancy (as those terms are defined by the California Fair Employment and Housing Act – Government Code Section 12900-12996).

### II. POLICY GOALS

- A. To provide direction and guidance for consistent, effective, and timely advocacy to advance the District’s legislative interests at the federal, state, and local levels.
- B. To provide guidance to Board and staff to serve as an active participant with other local agencies, the California Association of Resource Conservation Districts (“CARCD”), the California Special Districts Association (“CSDA”), local government associations, and trade associations on legislative and regulatory issues important to the District and the region.
- C. To support the development of grant and funding assistance for District projects, services and programs to enhance services for the community.

### III. ADVOCACY GOALS AND PRIORITIES

- A. Revenue and Finances. Ensure adequate funding for safe and reliable core local service delivery by special districts, including RCDs. Protect resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts, including RCDs, and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve local flexibility with revenue and

diversify local revenue sources. Support opportunities that allow RCDs to compete for their fair share of regional, state, and federal funding, and that maintain funding streams. Such opportunities may include competitive grant and funding programs, as well as dedicated funding streams at the regional, state, or federal levels that allow special districts to maximize local revenue and maintain District goals and standards.

- B. Governance and Accountability. Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits-all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities and preferences of each community. Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government. Promote local-level solutions, decision-making, and management concerning service delivery and governance structures.

#### **IV. RESPONSIBILITIES**

- A. The ED is responsible for:

1. Monitoring and reviewing proposed legislation to determine if a) it advances the District's goals and priorities; 2) it could potentially harm, negatively impact or undo positive momentum for the District; 3) does not advance the District's goals and priorities; or d) is not relevant to the District. Reviews will include, but are not limited to review of any positions and analysis completed by CARCD, CSDA, and/or other local government associations.
2. Determining the District's position on proposed legislation in alignment with approved advocacy priorities and responding to those the ED deems essential with legislative position letters that a) clearly indicate whether the District is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the legislation; and b) include adequate justification for the recommendation action.
3. Bringing recommendations to the Board for approval of positions on legislation that the ED cannot determine are in clear alignment with the approved advocacy priorities but bear consideration.
4. Reviewing and responding to outside requests that the District take a position on legislative issues in alignment with approved advocacy priorities.
5. Engaging with committees and members of the legislature, and/or their designated staff, as well as staff of responsible or affected agencies, regarding recommended amendments needed to ensure potential legislation is aligned with the District's approved advocacy priorities.

- B. The District Counsel is responsible for reviewing proposed legislation for legal implications and providing recommendation on potential language for amendments upon referral by the Board or the ED.

- C. Individual Directors are responsible for bringing to the attention of the ED any legislation they become aware of during their interactions with legislators, public agency representatives or

associations, and/or trade associations that may affect the authority or operations of the District.

- D. The Board is responsible for considering and providing a response to recommendations of the ED or the District Counsel regarding proposed legislation.

**V. LEGAL AUTHORITIES**

Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited,<sup>1</sup> 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.<sup>2</sup>

**VI. ADDITIONAL PROVISIONS**

Policy Change Log:

Date	Action
04/03/2025	Board adopted policy.

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1 Cal. Gov. Code § 54964

2 Cal. Gov. Code § 53060.5; Stanson v. Mott (1976) 17 Cal. 3d 206, 218