



CAMBRIA COMMUNITY SERVICES DISTRICT

MEETING	TIME & DATE	LOCATION
Policy Committee	3:00 PM Thursday, February 22, 2024	Cambria Veterans' Memorial Hall 1000 Main Street, Cambria, CA 93428

## AGENDA

### **Regular Policy Committee Meeting**

**Thursday, February 22, 2024 3:00 PM**

**In person at:**

**Cambria Veterans' Memorial Hall  
1000 Main Street, Cambria, CA 93428**

**AND via Zoom at:**

**Please click the link to join the webinar: [HERE](#) Passcode: 159930**

Copies of the staff reports or other documentation relating to each item of business referred to on the agenda are on file in the CCSD Administration Office, available for public inspection during District business hours. The agenda and agenda packets are also available on the CCSD website at <https://www.cambriacsd.org/>. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting or if you need the agenda or other documents in the agenda packet provided in an alternative format, contact the Confidential Administrative Assistant at 805-927-6223 at least 48 hours before the meeting to ensure that reasonable arrangements can be made. The Confidential Administrative Assistant will answer any questions regarding the agenda.

### **1. OPENING**

- 1.A Call to Order**
- 1.B Establishment of Quorum**
- 1.C Chair Report**
- 1.D Ad Hoc Subcommittee Report(s)**
- 1.E Committee Member Communications**

### **2. PUBLIC COMMENT**

Members of the public may now address the Committee on any item of interest within the jurisdiction of the Committee but not on its agenda today. Future agenda items can be suggested at this time. In compliance with the Brown Act, the Committee cannot discuss or act on items not on the agenda. Each speaker has up to three minutes.

### **3. CONSENT AGENDA**

- 3.A Consideration to Approve the January 25, 2024 Regular Meeting Minutes**

### **4. REGULAR BUSINESS**

**4.A Review, Discussion, and Consideration of the Draft CSDA Policy 1045 Legal Counsel and Auditor**

**4.B Review and Discussion of the CCSD-Owned Vehicle Policy**

**4.C Review, Discussion, and Consideration of the CSDA Policy 1055 Legislative Advocacy Policy**

**5. FUTURE AGENDA ITEM(S)**

**6. ADJOURN**



## CAMBRIA COMMUNITY SERVICES DISTRICT

### MINUTES OF JANUARY 25, 2024 REGULAR POLICY COMMITTEE MEETING OF THE POLICY COMMITTEE OF CAMBRIA COMMUNITY SERVICES DISTRICT

A regular meeting of the Policy Committee of the Cambria Community Services District was held at Cambria Veterans' Memorial Hall located at 1000 Main Street, Cambria, CA 93428 on Thursday, January 25, 2024, at 3:00 PM

#### 1. OPENING

##### 1.A Call to Order (0:26)

Committee Chair Scott called the meeting to order at 3:04 p.m.

##### 1.B Establishment of Quorum (0:35)

A quorum was established.

Committee members present: Committee Chair Debra Scott, Vice Chair Gordon Heinrichs, Ted Key, James Townsend, and Secretary Donn Howell. Absent: Member Claudia Harmon-Worthen.

Staff members present: Confidential Administrative Assistant Haley Dodson, General Manager Matthew McElhenie, Utilities Department Manager Jim Green, and Program Manager Tristan Reaper.

Members of the public present were Rich Davega and CCSD Director Harry Farmer. No public members were present via Zoom.

##### 1.C Chair Report (0:38)

Committee Chair Scott reported that *Policy (1040.2) Answering Correspondence to the Board* was accepted by the Board without any edits. And, as to last our last meeting's list of policies we are working on:

- Staff is working on the *Whistle Blowing Policy*.
- A brand-new *Purchasing Policy* is being prepared by staff and is not yet at a point for our committee to comment on.
- The *Social Media Policy* has been finalized and is under review by staff. We will look it when it's ready for us.
- The *Internet and Email Policy* has been finalized and integrated into the CSDA policy. Once reviewed by this Committee it will go through a "meet and confer" process with the unions (IAAFF & SEIU).

##### 1.D Ad Hoc Subcommittee Report(s) (3:24)

There were no ad hoc subcommittee reports at this time.

##### 1.E Committee Member Communications (3:30)

Member Key called the Committee's attention to the recent NCAC meeting at which offshore wind farms was discussed.

Chair Scott called for public comment on the above items. (4:30) There was no public comment at this time.

2. PUBLIC COMMENT (4:44)

Public Comment: There was no general public comment.

3. CONSENT AGENDA (7:26)

**3.A Consideration to Approve the December 28, 2023 Regular Meeting Minutes**

Secretary Howell pointed out a minor typo: in reporting on the motion under item 4A, the notation of the time on the recording was repeated. (7:56)

Call for public comment. (8:28) There was none.

**Motion:** to approve the meeting minutes as corrected.

Motion by: Key

Second by: Townsend

**Motion passed: Ayes – 4; Nays – 0; Absent – 1; Chair not voting.**

4. REGULAR BUSINESS

**4.A Review and Discussion of the CCSD-Owned Vehicle Policy (9:05)**

As a first attempt to bring the District's policy up to date Utilities Manager Green presented the District's current policy document along with his proposed revisions. Mr. Green, Mr. Reaper and the Committee reviewed the document in great detail. The committee suggested a number of additional changes.

The use of District vehicles for on-call-use and for commuting was of particular concern to the public in attendance and to some committee members. The Public, Committee members and Staff discussed this topic at length. (47:40 – 1:15:02)

Mr. Green agreed to bring the revised policy back to the Committee at its next meeting. (1:26:57)

Call for additional Public Comment (1:28:37) There was none.

**4.B Review, Discussion, and Consideration of Draft CSDA Policy 1045 Legal Counsel and Auditor (1:28:44)**

This draft of policy 1045 contains the text of CSDA Policy 1045 as edited by District Counsel Carmel.

Member Heinrichs felt that the wording regarding closed sessions was inadequate. Chair Scott asked Member Heinrichs to send his proposed wording to her via email so that we can discuss it at our next meeting. (1:34:13)

**The Committee reached consensus to table this item. (1:35:26)**

#### **4.C Review, Discussion, and Consideration of CCSD 2024/25 Summary of Management Objectives (1:35:32)**

GM McElhenie presented this item. (1:36:10)

There was a brief discussion.

Chair Scott and the GM proposed to bring this item back to the Committee after the Board has its upcoming strategic planning session.

**Continued to March by action of the chair. (1:49:21)**

#### **4.D Review, Discussion, and Consideration of the CSDA Policy 1055 Legislative Advocacy Policy (1:49:57)**

**Continued to March by action of the chair.**

#### **4.E Discussion of Examples of Private Messages Sent to CCSD Staff on Social Media Platforms (1:51:47)**

Chair Scott presented this item saying that it was brought before the Committee just for their information. The Committee reviewed the messages and thanked Staff for the information.

**The Committee reached consensus that there is no need to bring this item back for further discussion.**

**PUBLIC COMMENT ON ITEMS 4B THROUGH 4E. (1:54:02)**

There was no public comment on 4B through 4E. However, as an extension to public comment Chair Scott asked GM McElhenie to briefly address the issue of incorporation so as to allay rumors and the public's concerns.

**The Committee reached consensus to extend the meeting by 10 minutes. (1:57:35)**

#### **5. FUTURE AGENDA ITEM(S) (2:03:11)**

Future items include:

- CCSD-Owned Vehicle Policy
- Draft CSDA Policy 1045 Legal Counsel and auditor
- CSDA policy 1055 Legislative Advocacy
- CCSD 2024/25 Summary of Management Objectives (March)

Committee Chair Scott asked for any additional future agenda items. The Committee had none.

Chair Scott reminded the Committee that we'll get a new policy list from our contract people and we will then be able to take a look at what else we need to do.

#### **6. ADJOURN (2:03:41)**

Committee Chair Scott adjourned the meeting at 5:06 p.m.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Policy Committee Members

AGENDA NO. 4.A.

FROM: Debra Scott, Chair

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Meeting Date: February 22, 2024

Subject: Review, Discussion, and Consideration of  
Draft CSDA Policy 1045 Legal Counsel  
and Auditor

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**DISCUSSION:**

The CSDA Policy is attached for your review with redline edits from the CCSD Legal Counsel, Tim Carmel. He has edited the policy to reflect the standard processes that are being used by the District at this time. The policy is here for the committee to review, make recommendations for edits to be forwarded to the Board during one of its March meetings. Once the Board has approved the policy, it will become a CCSD Policy and be included as part of the District Policy Handbook.

Attachment: CSDA Policy 1045 Legal Counsel and Auditor - redline version



**POLICY TITLE: Legal Counsel and Auditor**  
**POLICY NUMBER: 1045**

1045.1 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

1045.2 Legal Counsel shall be the legal adviser of the District, including the Board as a whole, the General Manager, Standing Committees, and department heads. Legal Counsel shall perform such duties as may be prescribed by the Board of Directors. Such duties include, but are not limited to, providing legal assistance necessary for formulation and implementation of legislative policies and projects; represent the District's interests, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings; and to keep the Board and District staff apprised of court rulings and legislation affecting the legal interests of the District. Legal Counsel is required to draft or comprehensively review ordinances, resolutions, contracts, leases, opinions and similar documents, to approve as to form all ordinances, resolutions and contracts, and to perform all other tasks as set forth in his or her contract. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. ~~The~~ Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. ~~The~~ Legal Counsel shall serve at the pleasure of the Board and shall be compensated for services as determined by the Board.

- a) ~~The~~ Legal Counsel reports to the Board as a whole but is available to each Director for consultation regarding legal matters particular to that Board member's participation. No Board member may request a legal opinion of ~~legal~~ Legal Counsel without concurrence by the Board, except as such requests relate to questions regarding that member's participation. ~~The~~ Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

1045.3 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

- a) The Board may appoint a committee to oversee the work of an independent auditor, who will report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law and the Finance Committee Charter for Audit Compliance. The Administrative Department Manager and Chief Financial Officer/~~General Manager~~ will install and maintain an accounting system that will completely, and at all times, show the financial condition of the District.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Policy Committee Members

AGENDA NO. **4.B.**

FROM: Debra Scott, Chair

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Meeting Date: February 22, 2024

Subject: Review and Discussion of the CCSD-  
Owned Vehicle Policy

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**DISCUSSION:**

Please review the attached policy and the excerpts from the IRS Fringe Benefits Related to Working Condition Benefits and Qualified Nonpersonal Use Vehicles related to the CCSD-Owned Vehicle policy. The Employer's Tax Guide to Fringe Benefits for use in 2024 is available for review here: <https://www.irs.gov/forms-pubs/about-publication-15-b>.

The Board will be discussing this policy during one of its March meetings. Your comments will be valuable to the Board.

Attachments:

CCSD-Owned Vehicle Policy

Excerpt from the IRS Fringe Benefits Related to Working Condition Benefits and Qualified Nonpersonal Use Vehicles





# CAMBRIA COMMUNITY SERVICES DISTRICT

P.O. Box 65 • Cambria, CA 93428 • Telephone: (805) 927-6223 • Fax: (805) 927-5584

## CCSD-OWNED VEHICLE POLICY

### I. PURPOSE

- A. This policy of the Board of Directors for the Cambria Community Services District (“CCSD”) establishes policies and procedures for using CCSD-owned vehicles. For the purpose of this policy, vehicles leased or rented by the CCSD are considered CCSD-owned vehicles.

### II. VEHICLE USAGE-GENERAL

- A. All CCSD employees are required to have and maintain a valid California Driver’s License. Employees shall follow all jurisdictions’ laws, rules, and regulations while operating a vehicle on CCSD business. Any fines or other penalties incurred by an employee shall be the responsibility of the employee.
- B. Individuals not employed by the CCSD shall never operate CCSD-owned vehicles except for individuals performing approved maintenance/repair services on the vehicle.
- C. If a motor vehicle accident occurs while on CCSD business, the appropriate law enforcement agency shall be contacted immediately, and every attempt shall be made to have a report completed. If the law enforcement agency declines to prepare a report, the employee shall record the name of the party contacted at the law enforcement agency, the time that they were contacted, and a written report of the facts and circumstances surrounding the accident shall be completed by the employee at the earliest opportunity. The employee’s report will include the contact information of all parties involved in the accident, including vehicle descriptions and insurance coverage. The employee’s supervisor shall be notified of the accident at the earliest opportunity, but in any event, no later than by the next business day. The supervisor is responsible for having the accident reported to the Risk Manager or his/her designee at the earliest opportunity but in no event later than by the end of the next business day.
- D. Smoking is strictly prohibited in any CCSD-owned vehicles.

- E. All CCSD vehicles shall be appropriately marked with CCSD identification unless otherwise approved by the General Manager.
- F. A daily inspection of each vehicle prior to use is to be performed prior to the operation of any District-owned vehicle.
- G. No CCSD-owned vehicle shall be driven if it is known to be in an unsafe condition. Any mechanical problems related to a CCSD-owned vehicle shall be immediately reported. When using CCSD-owned vehicles, employees shall not abuse the vehicle in any way.
- H. Use of a CCSD vehicle is prohibited while on vacation or on other leave. Transporting family members, except where such persons are also CCSD employees or are otherwise on official CCSD business, in CCSD-owned vehicles is also prohibited, except in emergency situations. Transporting friends or other persons, except where such persons are also CCSD employees or are otherwise on official CCSD business, in CCSD-owned vehicles is also prohibited.
- I. When utilizing a CCSD or privately-owned vehicle for Travel, the vehicle may be used to attend meals and other activities directly related to the training, conference, or other Travel function.

### III. VEHICLE USAGE-COMMUTING

- A. In order to provide as prompt of a response as possible for emergency situations, CCSD employees on Standby and whenever else it is deemed necessary by a Department Manager shall use a CCSD vehicle for travel between the employee's home and place of work. During times of such use, the employee's personal use of the vehicle is limited to direct commuting and de minimis personal use. Such use is limited to necessary tasks of short duration and shall be fully minimized..
- B. The personal use of a CCSD-owned vehicle is a taxable fringe benefit subject to income and employment taxes. Personal use includes commuting to and from work. The value of the fringe benefit must be included in the employee's wages or reimbursed to the CCSD by the employee. The CCSD has determined that it is in the CCSD's and employees' best interest to use the Commuting Rule to determine the value provided to employees. Under this rule, the value of the commuting cost of the vehicle provided to the employee is determined by multiplying each one-way commute (that is, from home to work or work to home) by \$1.50. If more than one employee commutes in the vehicle, this value applies to each employee. A control employee cannot use the Commuting Rule. Control employees for government employers are either elected officials or employees whose compensation equals or exceeds the amount for a Federal Government Executive-Level V. For these employees, the Annual Lease Value (if the employee is provided a vehicle for 30 or more days of continuous use) or Daily Lease Value (if the employee is provided a vehicle for less than 30 days of continuous use) methodology shall be used.

- C. Use of qualified nonpersonal-use vehicles is considered a working condition benefit and is not taxable to the employee under any circumstances. CCSD-owned vehicles considered to be qualified nonpersonal-use vehicles include:
- Clearly marked fire vehicles.
  - Any vehicle designed to carry cargo with a loaded gross weight over 14,000 pounds.
  - Tractors and other special purpose farm vehicles.
  - Vehicles provided for Water and Wastewater on-call operators
- D. The value of personal use of CCSD-owned vehicles will be included in an employee's bi-weekly pay if the Commuting Rule is to be used to arrive at the value. If the Annual Lease Value or Daily Lease Value method is being used for valuation purposes, the value of personal use of CCSD-owned vehicles will be included in the employee's second bi-weekly pay in each month for the previous month.
- E. In cases where a Department Manager uses a CCSD-owned vehicle for personal use, approval from the General Manager is required. For all other employees, the number of days that a CCSD-owned vehicle is used by an employee where personal use is involved shall be noted on the employee's biweekly timesheet.
- F. If an employee is eligible to use the Commuting Rule to arrive at the value of personal use and they elect to reimburse the CCSD for the personal use rather than have it added to their wages, reimbursement must be submitted with their bi-weekly timesheet.



**Exclusion from wages.** You can generally exclude the value of transportation benefits that you provide to an employee during 2024 from the employee's wages up to the following limits.

- \$315 per month for combined commuter highway vehicle transportation and transit passes.
- \$315 per month for qualified parking.

**Benefits more than the limit.** If the value of a benefit for any month is more than its limit, include in the employee's wages the amount over the limit minus any amount the employee paid for the benefit. You can't exclude the excess from the employee's wages as a de minimis transportation benefit.

**TIP** **Qualified transportation benefits aren't deductible.** Sections 274(a)(4) and 274(l) provide that no deduction is allowed for qualified transportation benefits (whether provided directly by you, through a bona fide reimbursement arrangement, or through a compensation reduction agreement) incurred or paid after 2017. Also, no deduction is allowed for any expense incurred for providing any transportation, or any payment or reimbursement to your employee, in connection with travel between your employee's residence and place of employment, except as necessary for ensuring the safety of your employee or for qualified bicycle commuting reimbursements, as described in section 132(f)(5)(F) (even though the exclusion for qualified bicycle commuting reimbursements is suspended, as discussed earlier). While you may no longer deduct payments for qualified transportation benefits, the fringe benefit exclusion rules still apply and the payments may be excluded from your employee's wages, as discussed earlier. Although the value of a qualified transportation fringe benefit is relevant in determining the fringe benefit exclusion and whether the section 274(e)(2) exception for expenses treated as compensation applies, the deduction that is disallowed relates to the expense of providing a qualified transportation fringe, not its value. For more information, see Regulations sections 1.274-13 and 1.274-14.

**More information.** For more information on qualified transportation benefits, including van pools, and how to determine the value of parking, see Regulations section 1.132-9.

## Tuition Reduction

An educational organization can exclude the value of a qualified tuition reduction it provides to an employee from the employee's wages.

A tuition reduction for undergraduate education generally qualifies for this exclusion if it is for the education of one of the following individuals.

1. A current employee.
2. A former employee who retired or left on disability.
3. A surviving spouse of an individual who died while an employee.

4. A surviving spouse of a former employee who retired or left on disability.
5. A dependent child or spouse of any individual listed in (1) through (4) above.

A tuition reduction for graduate education qualifies for this exclusion only if it is for the education of a graduate student who performs teaching or research activities for the educational organization.

For more information on this exclusion, see *Qualified Tuition Reduction* under *Other Types of Educational Assistance* in chapter 1 of Pub. 970.

## Working Condition Benefits

This exclusion applies to property and services you provide to an employee so that the employee can perform their job. It applies to the extent the cost of the property or services would be allowable as a business expense or depreciation expense deduction to the employee if they had paid for it. The employee must meet any substantiation requirements that apply to the deduction. Examples of working condition benefits include an employee's use of a company car for business, an [employer-provided cell phone](#) provided primarily for noncompensatory business purposes (discussed earlier), and job-related education provided to an employee.

This exclusion also applies to a cash payment you provide for an employee's expenses for a specific or prearranged business activity if such expenses would otherwise be allowable as a business expense or depreciation expense deduction to the employee. You must require the employee to verify that the payment is actually used for those expenses and to return any unused part of the payment.

The exclusion doesn't apply to the following items.

- A service or property provided under a flexible spending account in which you agree to provide the employee, over a time period, a certain level of unspecified noncash benefits with a predetermined cash value.
- A physical examination program you provide, even if mandatory.
- Any item to the extent the payment would be allowable as a deduction to the employee as an expense for a trade or business other than your trade or business. For more information, see Regulations section 1.132-5(a)(2).

**Employee.** For this exclusion, treat the following individuals as employees.

- A current employee.
- A partner who performs services for a partnership.
- A director of your company.
- An independent contractor who performs services for you.

**Vehicle allocation rules.** If you provide a car for an employee's use, the amount you can exclude as a working condition benefit is the amount that would be allowable as a deductible business expense if the employee paid for its use. If the employee uses the car for both business and personal use, the value of the working condition benefit is the part determined to be for business use of the vehicle. See *Business use of your car* next. Also, see the special rules for certain [demonstrator cars](#) and [qualified nonpersonal use vehicles](#) discussed later.

**Business use of your car.** If you use your car exclusively in your business, you can deduct car expenses. If you use your car for both business and personal purposes, you must divide your expenses based on actual mileage. Generally, commuting expenses between your home and your business location, within the area of your tax home, are not deductible.

You can deduct actual car expenses, which include depreciation (or lease payments), gas and oil, tires, repairs, tune-ups, insurance, and registration fees. Or, instead of figuring the business part of these actual expenses, you may be able to use the standard mileage rate to figure your deduction. To find the standard mileage rate for 2024, go to [IRS.gov/Tax-Professionals/Standard-Mileage-Rates](https://www.irs.gov/Tax-Professionals/Standard-Mileage-Rates).

If you are self-employed, you can also deduct the business part of interest on your car loan, state and local personal property tax on the car, parking fees, and tolls, whether or not you claim the standard mileage rate.

For more information on car expenses and the rules for using the standard mileage rate, see Pub. 463.

**Demonstrator cars.** Generally, all of the use of a demonstrator car by your full-time auto salesperson in the sales area in which your sales office is located qualifies as a working condition benefit if the use is primarily to facilitate the services the salesperson provides for you and there are substantial restrictions on personal use. For more information and the definition of "full-time auto salesperson," see Regulations section 1.132-5(o). For optional, simplified methods used to determine if full, partial, or no exclusion of income to the employee for personal use of a demonstrator car applies, see Revenue Procedure 2001-56. You can find Revenue Procedure 2001-56 on page 590 of Internal Revenue Bulletin 2001-51 at [IRS.gov/pub/irs-irbs/irb01-51.pdf](https://www.irs.gov/pub/irs-irbs/irb01-51.pdf).

**Qualified nonpersonal use vehicles.** All of an employee's use of a qualified nonpersonal use vehicle is a working condition benefit. A qualified nonpersonal use vehicle is any vehicle the employee isn't likely to use more than minimally for personal purposes because of its design. Qualified nonpersonal use vehicles generally include all of the following vehicles.

- Clearly marked, through painted insignia or words, police, fire, and public safety vehicles, provided that any personal use of the vehicle (other than commuting) is prohibited by the governmental unit.
- Unmarked vehicles used by law enforcement officers if the use is officially authorized. Any personal use must

be authorized by the employer, and must be related to law-enforcement functions, such as being able to report directly from home to an emergency situation. Use of an unmarked vehicle for vacation or recreation trips can't qualify as an authorized use.

- An ambulance or hearse used for its specific purpose.
- Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
- Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
- A passenger bus with a capacity of at least 20 passengers used for its specific purpose and school buses. The working condition benefit is available only for the driver, not for any passengers.
- Tractors and other special-purpose farm vehicles.
- Bucket trucks, cement mixers, combines, cranes and derricks, dump trucks (including garbage trucks), flat-bed trucks, forklifts, qualified moving vans, qualified specialized utility repair trucks, and refrigerated trucks.

See Regulations section 1.274-5(k) for the definition of qualified moving van and qualified specialized utility repair truck.

**Pickup trucks.** A pickup truck with a loaded gross vehicle weight of 14,000 pounds or less is a qualified nonpersonal use vehicle if it has been specially modified so it isn't likely to be used more than minimally for personal purposes. For example, a pickup truck qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and meets either of the following requirements.

1. It is equipped with at least one of the following items.
  - a. A hydraulic lift gate.
  - b. Permanent tanks or drums.
  - c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
  - d. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles and other vehicles).
2. It is used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mining, drilling, timbering, or other similar operation for which it was specially designed or significantly modified.

**Vans.** A van with a loaded gross vehicle weight of 14,000 pounds or less is a qualified nonpersonal use vehicle if it has been specially modified so it isn't likely to be used more than minimally for personal purposes. For example, a van qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and has a seat for the driver only (or the driver and one other person) and either of the following items.

- Permanent shelving that fills most of the cargo area.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Policy Committee Members

AGENDA NO. **4.C.**

FROM: Debra Scott, Chair

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Meeting Date: February 22, 2024

Subject: Review, Discussion, and Consideration of  
the CSDA Policy 1055 Legislative  
Advocacy Policy

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**DISCUSSION:**

This policy has been before the Policy Committee at a previous committee meeting. At that meeting, the committee discussed whether or not the District needed a Legislative Advocacy Policy and decided that it may not need one. After discussing the issue with the General Manager and District Counsel, it has been stated, "...and cities will often take positions in favor or opposed to legislation that impacts them and communicate those positions to their elected State representatives." The CSDA has made these type of requested in the past. Although it would depend on the issue, both the GM and Counsel "don't generally see anything wrong with the Board taking positions on legislation that could impact the District."

That being said, the committee could benefit from further discussion about the need for a policy and the potential content of such a policy.

Attachment: CSDA Policy 1055: Legislative Advocacy Policy



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**POLICY TITLE: Legislative Advocacy Policy**  
**POLICY NUMBER: 1055**

1055 **Purpose**

The purpose of the policy is to guide [DISTRICT] officials 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,<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>

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 [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 [DISTRICT].

1055.1 **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.

1055.2 **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.

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<sup>1</sup> Cal. Gov. Code § 54964.

<sup>2</sup> Cal. Gov. Code § 53060.5; *Stanson v. Mott* (1976) 17 Cal. 3d 206.



.....

This policy provides [DISTRICT] 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 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. [The Board of Directors may choose to establish a standing committee of two Directors, known as the “Legislative Advocacy Committee”, with the authority to adopt a position when consideration by the full Board of Directors is not feasible within the time-constraints of the legislative process.]

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.

**1055.3 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:

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 General Manager, or designee, 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. If possible, the letter should include examples of how a bill would specifically affect the district, e.g. “the funding the district will lose due to this bill could pay for X capital improvements.”
  - a. Support – legislation in this area advances the district’s goals and priorities.
  - b. 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. The appropriate contacts at the California Special Districts Association and other local government associations, if applicable, shall 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:
  - a. The position is consistent with the adopted Advocacy Priorities;
  - b. The position is consistent with that of organizations to which the district is a member, such as the California Special Districts Association; or
  - c. The position is approved by the Board of Directors [or the Legislative Advocacy Committee].
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 Directors.

1055.4 **Advocacy Priorities**

***Revenue, Finances, and Taxation***

Ensure adequate funding for special districts’ safe and reliable core local service delivery. Protect special districts’ resources from the shift or diversion of revenues without the consent of the affected districts. Promote



the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve special districts' property tax allocations and local flexibility with revenue and diversify local revenue sources.

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.

***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 agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control and maintaining LAFCO authority over local government jurisdictional reorganizations and/or consolidations.

***Human Resources and Personnel***

Promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

***Infrastructure, Innovation, and Investment***

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing



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demands. Promote the efficient, effective, and sustainable delivery of core local services.

Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.