

## **Change Record**

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## **POLITICAL STANDING RULE**

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### **I. PURPOSE**

This Standing Rule sets forth the standards and procedures for political endorsement and campaign involvement by the San Francisco Bay Chapter of the Sierra Club (the "Chapter").

The Chapter shall maintain and update on at least a biannual basis a multi-year Chapter electoral strategy in the form of a written Chapter Electoral Program ("Program"). The Program may include any of a number of electoral activities, but is focused on developing, encouraging, and electing environmentally responsible officials, enacting environmental ballot measures and defeating anti-environmental ballot measures, and organizing Chapter members to take an active part in these pursuits, in accordance with the general purposes and policies of the Sierra Club's national political program, and in order to further the conservation goals of the Chapter and the Sierra Club as a whole.

### **II. CHAPTER COMMITTEE RESPONSIBILITIES**

- A. The Chapter Executive Committee:

- 1) Approves the Program in consultation with the Groups, subject matter conservation Committees and the Chapter Political Committee.
- 2) Receives feedback from the Groups and the Chapter Political Committee in the form of periodic written and oral reports on the endorsement process, the status of endorsements and the Program generally.
- 3) Casts certain endorsement votes as specified by this Standing Rule.
- 4) Appoints the at-large members of the Chapter Political Committee.
- 5) Approves any necessary staff and budget to carry out the Program.

B. The Chapter Political Committee:

- 1) Develops and generally coordinates the Program in consultation with the Chapter Executive Committee, the Groups and, where appropriate, subject matter conservation Committees and/or allied environmental organizations.
  - 2) Makes periodic written and oral reports to the Chapter Executive Committee regarding the status of the Program.
  - 3) Maintains a written advance calendar for endorsements and other activities as appropriate.
  - 4) Casts votes on all candidate endorsements and makes recommendations on ballot measure endorsements.
  - 5) Determines the level of support for endorsed candidates in consultation with any affected Group.
  - 6) In consultation with the Chapter Executive Committee, and any affected Group, may coordinate the participation of the Chapter in ballot measure campaigns.
  - 7) Recognizing that the Club's main resource is its volunteers and priority should be given to mobilizing their efforts in electoral activities, shall establish a training program for volunteers who participate in the Program. A major goal of this training program shall be to establish and maintain active political committees and programs within the Groups.
  - 8) Develops a budget to facilitate its work, including any necessary staffing.
  - 9) Ensures that the Chapter's political activities are conducted in full compliance with state and national Sierra Club political guidelines and with local, state and federal campaign laws.
  - 10) Adopts guidelines for the conduct of interviews and the endorsement voting process.
  - 11) Consistent with state and national law and Club rules, operates a Political Action Committee (PAC) on behalf of the Chapter.
- II.B.13. Consistent with state and other applicable laws and Club rules, operates a slate card program.

### III. POLITICAL COMMITTEE

#### A. Membership

The Chapter Political Committee shall have an unlimited number of voting members (the "members") chosen in accordance with the following:

- 1) The at-large members of the Chapter Political Committee, who shall not be limited in number but at least three of whom shall be members of the Chapter Executive Committee, shall be confirmed by a majority vote of the Chapter Executive Committee. The Chapter Chair shall be a member of the Chapter Political Committee if he or she is willing to serve.
- 2) Each Group Executive Committee which has voted to formally participate [i.e., exercise a binding vote pursuant to section IV(A)(2) of this Standing Rule] in any political endorsement within a given two-year electoral cycle (beginning in January of each odd-number year) shall appoint a Political Chair who shall also serve as a member of the Chapter Political Committee, and may also appoint an alternate who shall vote in the absence of the Political Chair. This option to formally participate need not be exercised at the beginning of a political cycle, but must be exercised not less than six months before the date of an election race regarding which the Group intends to cast a binding endorsement vote. Notwithstanding this, it is expected that each formally participating Group will be substantially involved in the Program and the Chapter Political Committee's work on an ongoing basis.
- 3) Subject to approval by majority vote of the Chapter Executive Committee, the following subject matter conservation Committees shall each appoint a special conservation representative (and if they wish, also an alternate) to fully participate in the endorsement process, including casting an endorsement vote on the Chapter Political Committee for their associated multi-county special district(s):
  - Water, for East Bay Municipal Utility District (EBMUD)
  - Transportation and Compact Growth, for Alameda-Contra Costa Transit District (AC Transit) and Bay Area Rapid Transit District (BART)
  - East Bay Public Lands, for East Bay Regional Park District (EBRPD)

#### B. Terms of Office

- 1) Each at-large member of the Chapter Political Committee shall serve a two-year term of office beginning in January of odd-numbered years, and may be reappointed to an unlimited number of terms. Vacancies shall be filled for the unexpired portion of the term. Appointments of at-large members and Group delegates and alternates shall be made in December of even-numbered years. Special conservation representatives shall be appointed not less than six months prior to the relevant election, and shall serve until all relevant endorsements are final.
- 2) Every member shall be an active participant in the Chapter Political Committee's work. For at-large members, three unexcused absences from meetings within any twelve month

period shall result in termination from the Chapter Political Committee, although terminated members shall be eligible for reappointment. Unexcused absences shall include an absence for which the Chapter Political Committee chair was not informed in advance and other absences at the discretion of the Chapter Political Committee. At the option of the Chapter Executive Committee, Groups that fail to meet this attendance standard may lose their binding vote on endorsements for a period not to exceed the end of the current two-year political cycle.

#### C. Officers

- 1) At its regular meeting in January of each odd-numbered year, the Chapter Political Committee shall select from among its members a Chair, three Vice-Chairs, a Secretary and a Treasurer. The Chair shall be confirmed by and shall serve at the pleasure of the Chapter Executive Committee. Each of the Vice-Chairs shall reside in a different county (if feasible), and no Vice-Chair shall reside in the same county as the Chair. All of these officers will serve for terms of two years each, except the Secretary whose role will be rotated at no less than six month intervals.
- 2) No member of the Chapter Political Committee who serves as an officer on any other political action committee which supports or opposes candidates in California state legislative races may be an officer of the Chapter Political Committee.

#### D. Meetings

- 1) Meetings shall generally occur at least once quarterly, but at no time may a meeting be called with less than two days notice to members of the Chapter Political Committee. The Chair, any two of the Vice Chairs, or any four members acting jointly shall have the authority to call a meeting. A schedule of regular meetings shall be announced in the Yodeler.
- 2) Many of the deliberations of the Chapter Political Committee require the frank discussion of sensitive topics related to the its responsibilities. Although the goal of the Chapter Political Committee is to provide an open process for decision making, when it determines that it is in the best interests of the Chapter, it may go into executive session at any time during its meetings in order to deliberate and vote on endorsement decisions, expenditures of funds, or other sensitive topics.
- 3) Only voting members of the Chapter Political Committee (except those who may not participate pursuant to the conflict of interest provisions of this Standing Rule) and the Compliance Officer may be present in executive session.

#### E. Meeting Attendance and Participation.

- 1.) The attendance requirements of this Guideline and the Standing rule shall apply to regular meetings. Regular meetings are those for which both time and location have been announced on the Chapter Agendas list (sfbay-agendas@lists.sierraclub.org) at least two weeks in advance.
- 2). Attendance may be in person or by conference telephone, but in-person attendance is required for a minimum of four regular meetings per calendar year. The telephone number

and procedure for dialing in shall be included in each agenda. If no conference telephone is available for at a meeting, an absence shall not be counted for those unable to participate as a result. Attendance at less than 50% of a meeting will be counted as an absence unless excused pursuant to Standing Rule III.B.2.

3.) A Group representative who is not in attendance at a meeting shall not be counted in the quorum for a given meeting if no representative of that Group has been in attendance at the prior two regular meetings.

4.) See Standing Rule III.B.2 or procedures regarding absences of at-large members.

5.) Standing Rule III.B.2 and this guidance apply even if a given regular meeting fails to achieve a quorum.

#### F. Agenda and Minutes

1.) Meeting agendas shall be posted on the chapter Agendas list at least three days prior to each meeting.

2.) Minutes shall be taken at each meeting by an elected Secretary or by someone else appointed at the start of a meeting. Minutes and the attendance roll should be maintained in a binder accessible at each meeting. Minutes shall be posted on the Chapter Agendas list not later than the time of posting of the agenda of the following regular meeting.

3.) The Secretary shall maintain a roster of all members and shall note attendance in the minutes of each meeting.

### IV. ENDORSEMENT PROCEDURES

#### A. Candidates

##### 1) Evaluation of candidates

If the Chapter Political Committee believes that it may be in the interest of the Chapter to conduct an endorsement process for an elective office, the Chapter Political Committee shall ensure the evaluation of all viable candidates seeking election to that office. Generally, no endorsement will be made unless the Club's endorsement has been requested. It is mandatory for the Chapter Political Committee to participate in an endorsement process for any race where a Group includes any portion of the district and wishes to initiate such a process.

##### 2) Group notification and participation

a) No less than six months prior to each election, the Chapter Political Committee will notify each Group of upcoming races within the Group's jurisdiction and the proposed endorsement schedule. A Group may choose one of three modes of participation: formal, informal, and none. A Group that wishes to formally participate in a given race (i.e., cast a binding vote on the endorsement) does so by (i) agreeing that its Executive Committee will vote on the endorsement for that race according to an agreed upon schedule, and (ii) appointing a Political Chair who will be the Group's representative to the Chapter Political Committee. Alternatively, a Group that chooses informal participation cannot cast a binding endorsement vote [except as allowed by section IV(2)(c) below], but should still be

encouraged to participate to the greatest degree possible, including taking a non-binding endorsement vote and being allowed to orchestrate the endorsement process if no other Group which is formally participating in the endorsement process for that race wishes to do so. No participation means that if no other Group is formally or informally participating in the race, and the Chapter Political Committee determines that the race is of Chapter-wide significance, the Chapter Political Committee may initiate the endorsement process.

IV. A. 2) b) Determining Group jurisdiction: Groups shall have jurisdiction over (and may formally participate in endorsement votes on) all seats that are wholly contained within a given Group. In cases where a district is split between two or more Groups, the determination of each Group's right to formal participation shall be decided by the number of members as determined in the HELEN database as of January 1 of each calendar year, if feasible, and when that information is not available, by the population within each Group's jurisdiction. When a given Group contains twenty-five percent or more of the membership or population of a district as defined above in a district, the Group may formally participate in the endorsement process for that race. In cases of a countywide seat or ballot measure for a county that has three Groups, any given Group that contains ten percent or more of the countywide population according to the most recent decennial Census may formally participate in the endorsement process for that race. Where more than one Group is formally participating in a given race, the votes of the executive committees of the participating Groups shall be counted as if they were a single entity (e.g., if one Group with a nine-member executive committee and another with a five-member executive committee are both formally participating in a given race, their votes shall be counted as if they were a single Group with a fourteen-member executive committee). In such cases, a single Group should be designated to orchestrate the interview process. Where a Group has less than ten or twenty-five percent of a district as defined above, it should nonetheless be encouraged to informally participate.

c) Group votes without formal participation: Where a seat is wholly contained within a given Group but the Group is not formally participating, the Chapter Political Committee may nonetheless authorize the Group to be the second voting entity on that endorsement if it determines that the Group's failure to formally participate is a result of the Group's inability to appoint a representative to the Chapter Political Committee.

d) Orchestration: Wherever possible, endorsement processes should be orchestrated (coordinated) by a representative of a formally participating Group, or by an informally participating Group if there is no formally participating one. Absent an available Group, the Political Committee shall orchestrate the process. Orchestration is an administrative function that means an individual or individuals taking overall responsibility for the timely conduct of an interview and endorsement process, including preparation of the questionnaire, conduct of the interviews and scheduling of the endorsement votes; but does not necessarily mean leading the interviews or otherwise playing a prominent personal role.

e). The Chapter Political Committee shall coordinate the endorsement process for electoral districts that span multiple group territories.

Any group that deviates from the coordinated endorsement process described in

this section without the approval of the Chapter Political Committee shall be considered to be opted out of participation in that endorsement process.

### 3) Required Endorsement Votes (pursuant to Standing Rule IV.A.2.a)

a.) The Chapter Political Committee shall include in the schedule a date by which all Group votes on a given endorsement must be posted to the Chapter Political Committee list (sfbay-political-comm@lists.sierraclub.org). Each such posting will include the questionnaires, the rationale and any other materials required for the Chapter Political Committee to act. Any materials not available in electronic form must be provided to the Political Committee Chair or her/his designee by the specified date.

b.) For races the Chapter Political Committee has identified in the schedule as critical, or with at least one month's advance written notice if not identified in the schedule, a Group will be deemed to have opted out of a given race if the posting described above has not been made by the specified date.

### 4) Endorsement criteria

The following factors shall be considered in the process of evaluating candidates: prior records in elective and/or appointive office, responsiveness to Chapter requests, public statements, responses to questionnaires, performance in interviews, relationships with special interests, importance of the office in impacting the environment, electability of the particular candidate (including the strength of the candidate's organization and fundraising capabilities), the available resources of the Chapter to commit to the race, and any other factors that appear to be appropriate under the circumstances.

### 5) Interview process

a) Interview committees are formed by the Chapter Political Committee or a Group, depending on which entity is orchestrating a given endorsement process. Membership in each interview committee shall include a representative of each formally participating Group and, where applicable, the special conservation representative or alternate appointed to the Chapter Political Committee specifically to participate in the endorsement process for a special district's races; and should include a representative from each Group which is not formally participating, a representative from the Chapter Political Committee, and the conservation activists and staff most knowledgeable about the issues before the special district. Every effort shall be made to ensure that at least two of the members of each interview committee are residents of the relevant jurisdiction and that one such member orchestrates the endorsement process or, if this is not possible, hosts the interviews.

b) The interview committee shall consult the relevant conservation issue Committee (and where one does not exist, subject matter activists) to get direction in the criteria to consider in evaluating the candidates, research the prior records of the candidates, develop the questionnaire, analyze the completed questionnaires, interview the candidates, and report its recommendations to the relevant Executive Committee(s) and the Chapter Political Committee. The interview committee shall have the discretion to forego

interviewing and/or sending questionnaires to candidates whose prior records in elective and/or appointive office are clearly anti-environmental or in races where the record of a particular candidate is strongly pro-environmental.

c) The recommendation of the interview committee can be made by a majority vote of the committee members present at all interviews.

6) Endorsement vote process

a) Unless further votes are required by state or national Club rules, two and only two entities within the Chapter shall vote on all endorsements, one at the Chapter level (the Chapter Political Committee) and one at the Group level (either a single Group executive committee or, in the case of multi-Group districts, two or more Group executive committees acting as one entity), except that when no Group is formally participating in a given endorsement vote, the Chapter Executive Committee shall cast the second vote.

b) Consistent with the national Club Political Guidelines, a two-thirds vote of two different entities is required for an endorsement. Group executive committee votes shall be conducted consistent with rules adopted by each Group, and must be maintained on file with the Chapter Political Committee. Votes by a Chapter-level entity, including either the Chapter Executive Committee or the Chapter Political Committee, shall be conducted consistent with the following:

A "two-thirds vote" means two-thirds of the combined "yes" and "no" votes of those voting. Abstentions and recusals are not counted. Additionally, the "yes" votes must add up to more than 50 percent of the total number of those eligible to vote (not counting recusals, who are considered not eligible to vote).

c) Electronic voting: Endorsement votes do not require personal participation in a meeting, and may be taken by methods such as e-mail in accordance with national Sierra Club guidelines. In those instances, the action must be approved by two-thirds of the entire voting membership of the entity, excluding only: (i) members who cannot vote because of conflict of interest or government-imposed restrictions, (ii) members who cannot be contacted because of an extended absence, and (iii) members who fail to respond within a reasonable time after being contacted. The entity must make a written record of the rationale for excluding a person from the computation of the "entire voting membership" for the particular vote.

d) Other endorsing entities: If more than twenty five percent of an electoral district (by membership) is within the geographical boundaries of another Chapter, concurrence of that chapter is required. In addition, certain endorsements may require approval by state or national entities according to the applicable Club rules.

e) At the conclusion of an endorsement process at which a decision to endorse (or take action short of endorsement) has been reached for a candidate for running for a local or regional office (i.e., an office other than State Assembly, State Senate, or U.S. Congress), the Chapter Political Chair shall promptly notify the Sierra Club California Political Chair of the chapter's decision.



## 7) Early endorsements

a) Early endorsements (prior to the close of filing) may be considered for strong environmental candidates who would almost certainly be endorsed after the close of filing.

b) Early endorsements allow environmentally preferable candidate the opportunity to use the Club's endorsement in their ballot statements, which are due at the close of filing, and which are often important in lower profile or local races. Early endorsements also offer a great opportunity to improve relationships with our friends in elected office and to send them a signal that we appreciate their strong records on environmental issues. Early endorsements give the Club the opportunity to shape the issues in campaigns by identifying candidates who will champion them for us. Early endorsements send a strong signal early on and can help to coalesce constituencies behind a candidate. Most importantly, early endorsements allow Club volunteers to begin organizing early in a campaign to ensure that excellent candidates are elected.

c) The following are examples (not to be construed as exhaustive) of the kinds of candidates that might qualify:

(i) Incumbents whom the Club has regularly endorsed, and who have traditionally supported the Club on its issues and will continue to do so.

(ii) Candidates running for open or at-large seats who have a previous history of environmental activities related to the office.

(iii) Challengers with good environmental records running against bad incumbents.

d) Early endorsements will not be considered unless the candidate has been previously endorsed or is a locally identified environmental activist or Club activist. Early endorsements in open seats will not be considered without a Club-prepared questionnaire and, preferably, an interview as well. While other candidates for a given seat should be identified and evaluated as part of the early endorsement process, it is not required that they receive questionnaires or be interviewed.

## 8) Appealing Candidate Endorsement Decisions to the Executive Committee

Should the Chapter Political Committee not approve (by vote or motion to table) a candidate endorsement recommendation of an initiating entity (a group or a combination of groups), the entity may appeal the Political Committee decision to the Chapter Executive Committee.

When the Chapter Political Committee rejects a candidate endorsement recommendation, the Chair or their designee must notify the entity immediately (the night of the vote or next morning).

An appeal must be made within five (5) calendar days after the Political

Committee's decision. The appealing entity needs a two-thirds vote of those eligible to vote in order to appeal. If the entity consists of more than one group, an appeal requires a two-thirds vote of the combined executive committee members eligible to vote. Any entity that wishes to hold an email vote on a possible appeal shall do so in accordance with Sierra Club electronic voting procedures.

If entitled to appeal, the appealing entity must request of the Chapter Chair to place the appeal on the agenda of the next Chapter Executive Committee meeting. The appealing entity also must notify the Political Committee at the same time in order for the appeal to be valid. Any member of the appealing entity can communicate the appeal.

The Chapter Executive Committee must deliberate on the appeal and vote at an in-person meeting (not electronically).

If the Chapter Executive Committee approves the appeal by a two-thirds vote, the Executive Committee becomes the second required entity for the endorsement, replacing the Political Committee.

#### 9) Forms of support

An endorsement in a race may include any or all of the following "categories of support" as further described in the national Club Political Compliance Guidelines:

- a) Use of Club name and title for identification purposes only by individual Club leaders making a personal endorsement;
- b) Endorsement by the Sierra Club;
- c) Objective, administrative and general electoral program activities, including objective information dissemination to Club members regarding all major candidates in a race (this does not involve support for any candidate and does not require that an endorsement process take place);
- d) Communication with Club members regarding a race;
- e) Candidate communication with Club members (includes candidate purchase of mailing labels);
- f) Direct contributions to candidates (money and in-kind);
- g) Fundraising directly for a candidate (to Club members or the general public where funds go directly to the campaign); and
- h) Communication about a candidate with the general public.

#### B. Ballot Measures

Endorsement of local ballot measures will follow the same procedures established for endorsement of candidates set forth in section IV(A)(5), except that the Chapter

Political Committee shall have only an advisory role.

## V. AUTHORIZED CAMPAIGN ACTIVITY

### A. Approval Required

The Chapter Political Committee must approve the types of election activities to be conducted in the name of the Chapter or Chapter leaders on behalf of any candidate or ballot measure position, except that in a race where only one Group has formally participated in the endorsement process for the race, such approvals shall be made by the Group in consultation with the Chapter Political Committee.

### B. Chapter Resources

- 1) In determining the level of participation in a particular campaign, the Chapter Political Committee shall consider the available resources of the Chapter and the number of other campaigns to which commitments must be made because of the importance of the particular race or ballot measure to the Chapter. Consideration should also be given to the relative importance to the campaign of the Chapter's participation. The level of activity that the Chapter expects to devote to a campaign should be clearly communicated to the campaign committee, the candidate and/or the ballot measure committee in a timely fashion. Where one or more Groups have formally participated in the endorsement process for a given race, such determinations shall be made in coordination with those Groups.
- 2) The Chapter Political Committee may request extraordinary assistance of Chapter staff by directing the request for assistance to the appropriate supervisor of the employee in question.

### C. Campaign Law Compliance

The Chapter Executive Committee established a separate, segregated fund in December, 1957, for the purpose of receiving contributions and making expenditures in connection with election campaign activities for state and local races. This fund has made the Chapter Political Committee responsible for complying with state laws governing campaign activity.

The state Fair Political Practices Commission subjects political action committees to a strict schedule of reporting requirements which generally have to do with reporting sources and amounts of contributions as well as recipients and amounts of expenditures. Although the Chapter Political Committee engages in electoral activity on behalf of candidates for federal (as well as state and local) office, primary responsibility for compliance with federal election law and reporting requirements rests with the national Sierra Club office.

The Chapter Political Committee is responsible for keeping Chapter campaign contributions within legal limits and for maintaining accurate and sufficient records of its financial transactions so as to meet all federal, state and local electoral reporting requirements.

The Chapter Political Committee shall designate a Compliance Officer who shall make timely reports of the Chapter's electoral activities to the state Fair Political Practices

Commission. The Chapter Political Committee and Chapter Treasurer shall ensure that the Compliance Officer is aware of any monetary or in-kind expenditure of Chapter resources made on behalf of a candidate or a ballot measure position.

No expenditure of Chapter or Chapter sub-entity resources on behalf of a candidate or ballot measure position shall be made or authorized without prior discussion with the Compliance Officer or her/his designee.

All expenditures of funds by the Chapter or any of its constituent units in support of or in opposition to a candidate or ballot measure shall be authorized by the Chapter Political Committee, and shall be processed through appropriate Club accounts.

#### D. Slate Mailer Organization

The Political Committee is authorized to establish a Slate Mailer Organization in accordance with state and laws for the purpose of communicating endorsements to the general public through the mail. All designs of mail pieces shall be reviewed by an attorney with election law expertise for compliance with state law before being printed.

The Chapter Director, the Political Committee Chair, and the County Vice Chair, or their designee shall be involved in the program for each county.

### VI. POLITICAL ACTION COMMITTEE

The Chapter Political Committee is authorized, consistent with federal and state law and with Club rules, to form and operate a Political Action Committee in behalf of the Chapter.

### VII. CONFLICT OF INTEREST

All entities within the chapter that are voting on candidate and ballot measure endorsements shall follow the Conflict of Interest rules presented in the most recent national Sierra Club Political Team Compliance Guidelines regarding conflicts of interest and recusals. The Chapter will follow new revisions to the Guidelines as soon as a Guideline revision becomes active.