

Midpeninsula Regional Open Space District

Board Policy Manual

Meeting Compensation, Reimbursement of Authorized Necessary Expenses for Performance of Official Duties, and Adoption of Ethics Training Requirements Pursuant to Government Code Section 53232 et seq. (AB 1234)	Policy 6.06 Chapter 6 – General
Effective Date: 1/30/08	Revised Date: 11/13/13
Prior Versions:	

A. COMPENSATION OF BOARD MEMBERS

1. Pursuant to Public Resources Code Sections 5536 and 5536.5, members of the Board shall receive one hundred dollars (\$100.00) for each attendance at a Board meeting. A Board meeting includes a special meeting, a continued meeting, a closed session, a public hearing, or a meeting of a standing committee of the Board. Attendance at an ad hoc or other committee meeting shall be compensable only when determined to be so by the Board. Only Board members, who are members of the committee, or authorized substitutes appointed by the presiding officer, may be compensated for attendance at the meeting. A committee of the Board includes a committee of one and Board-appointed representatives on a committee established by other organizations. The maximum total compensation per Board member allowable under this section shall be one hundred dollars (\$100.00) per day and five hundred dollars (\$500.00) per calendar month.

B. TRAVEL AND INCIDENTAL EXPENSES INCURRED WHILE PERFORMING AUTHORIZED DISTRICT BUSINESS

1. Types of Occurrences and Meetings that Qualify for Expense Reimbursement. Board Members are eligible for reimbursement for actual and necessary expenses incurred in the performance of their authorized official duties as provided in Public Resources Code Sections 5536 and 5536.5 and AB 1234 as follows:

- a. Attendance at conferences in accordance with the Board’s “Budget Guidelines for Conference Attendance”, or if the Board, on a case-by-case basis, approves other conference attendance in advance, due to specific business needs of the District.
- b. Board authorized or General Manager requested, attendance at meetings with nonprofit organizations, joint powers agencies, other government agencies such as grant-funding agencies, District legislators or their staff, local, state or federal representatives, and similar meetings, when such attendance is necessary in order to effectively represent the District’s position on a matter of District concern.

2. Government and Group Rates. Airlines, hotels, rental car companies, and other businesses often make special rates available to government agencies or groups. These rates are presumed to be the most economical and reasonable rates for the purposes of this Policy and shall be obtained whenever available.

3. Transportation. Generally, travel to Board-authorized conferences or other authorized travel between points within 150 miles of the District's Administrative Office by the Board Member's private vehicle shall be at the current rate established by the Internal Revenue Service. Travel exceeding 150 miles shall be at rates not exceeding the most economical rates of a public carrier. Specific types of transportation expenses shall be reimbursed as follows:

- a. Air Travel. Board Members may be reimbursed for the cost of a roundtrip economy-class ticket, provided the amount of reimbursement does not exceed the least expensive airfare that is consistent with the Board Member's reasonable scheduling constraints.
- b. Personal Vehicle Travel. Board Members may be reimbursed for expenses incurred in traveling by personal vehicle at the current Internal Revenue Service mileage rate.
- c. Car Rental Reimbursement. Where necessary when attending a conference or other authorized travel, Board Members may be reimbursed for the expense of a rental car, provided the amount of reimbursement does not exceed the most economical and reasonable rates available. When more than one Board Member attends the event, Board Members shall share the rental car where feasible.

4. Conference and Travel Meals. Board Members may be reimbursed for meal expenses on a per diem basis for meals consumed in conjunction with conference attendance or authorized travel in the following amounts, which include tax and gratuity up to the per diem rate, or actual expense, whichever is less:

Breakfast: \$12.00
Lunch: \$17.00
Dinner: \$30.00

The above limitations do not apply to meals at conferences or authorized travel at which a fixed price meal is served as part of or during the event. In such a case, the actual cost of the meal will be reimbursed.

The meal reimbursement amounts set forth above will be adjusted annually effective January to reflect any changes in the most currently available Internal Revenue Service meal reimbursement rates for the Palo Alto area.

If a meal is provided by a conference or included in the payment of the registration fee, Board Members may not be reimbursed for meals purchased in lieu of or in addition to the provided meal, unless it is infeasible for the Board Member to attend the meal due to the need to conduct other District business.

For conference or authorized travel meals attended by a group of persons including a District Board Member or Members, Board Members will be deemed to have incurred a pro rata share of the meal based on the number of paid participants in the meal. Board Members shall be reimbursed for their pro rata share of the meal in an amount not to exceed the per diem meal rate limit set out in this Policy.

5. Conference and Travel Lodging. The District will reimburse lodging expenses when conference or other authorized travel reasonably requires an overnight stay, provided the amount of the reimbursement does not exceed economical and reasonable rates for lodging that meets the Board Member's reasonable scheduling and official business needs. For lodging in connection with a conference, such lodging costs shall not exceed the maximum group rate available through the conference or event sponsor, provided that the lodging at the group rate is available to the Board Member at the time of booking. If the conference rate is not available, the Board Member shall use comparable lodging and may be reimbursed at a nightly rate not to exceed the maximum group rate available through the conference.

6. Incidental Expense Reimbursement. Board Members may be reimbursed for actual and necessary incidental expenses incurred in connection with authorized conferences or travel. Such expenses may include reasonable and customary gratuities, parking fees, taxi fares, public transportation costs, tolls, telephone calls, internet, postage, facsimile charges, and similar incidental expense

7. Conference Registration Fee Reimbursement. Board Members may be reimbursed for the expense of an authorized conference registration fee as set out in the Board's "Budget Guidelines for Board Conference Attendance" or as authorized by the Board on a case by case basis.

8. Other Expenses. All other actual and necessary expenses incurred in the performance of official duties that are not listed in this Policy shall not be reimbursed unless reimbursement is approved by the Board in advance of incurring the expense.

9. Prohibited Expense Reimbursements. Board Members shall not be reimbursed for expenses such as alcoholic beverages; spouse, domestic partner, or family member expenses; entertainment expenses such as movie, theatre, or sporting event fees; nor for fines for vehicle citations or damage to personal vehicles used in the course of District business. Exceptions can be approved by the Board when necessary to comply with the Americans with Disabilities Act or other applicable law, such as the payment for a necessary caregiver or companion to accompany a Board Member due to a qualifying disability.

C. DOCUMENTATION FOR COMPENSATION AND REIMBURSEMENT

1. Documentation Requirements. The District shall provide Board Members with expense report forms to be filed by the Member for reimbursement of actual and necessary expenses which are authorized to be reimbursed under this Policy. The form shall be used to document the expenses for which reimbursement is sought is proper under this Policy. The District shall also provide a separate form to document compensable meetings.

a. Time for Filing Forms. Board Members must file expense report forms within thirty (30) calendar days of incurring the expense in order to receive reimbursement. The expense report forms shall be accompanied by itemized receipts for items documenting each expense. Compensation forms shall also be filed within thirty (30) calendar days of the meeting for which compensation is sought. In the event a Board Member is unable to file such forms

within thirty (30) days due to extenuating circumstances, such as his or her absence from home or illness, the Board Member shall file such forms as soon as feasible. In no event shall such forms be filed later than ninety (90) days from the compensable meeting or incurring of the expense. If a Board Members fails to file a timely reimbursement or compensation form, the Board Members shall be ineligible to receive the requested payment.

b. Offset of Amounts Due the District. If a Board Member has reimbursable expenses or compensation due from the District, and that Member owes any amounts to the District, such amounts due shall be deducted from the reimbursement or compensation otherwise due to the Board Member.

c. Public Records. All documents related to reimbursable expenses are considered public records subject to disclosure under the California Public Records Act.

2. Report to Board Regarding Compensable Activities. Board Members shall provide brief reports on meetings attended for which compensation is provided by this Policy at the next regular Board meeting attended by the Board Member. The report may be made orally during Board Informational Reports, or in writing. If provided in writing, the Board Member shall state at the meeting that he or she is submitting to the District Clerk a written report of compensable meetings attended.

D. ETHICS TRAINING PURSUANT TO AB 1234

Each Board Member shall receive at least two hours of training in general ethics principles and laws relevant to his or her public service every two years. The District shall annually provide information on training alternatives available to Board Members to meet the requirements of AB 1234. The District shall maintain documentation of the dates that Board Members received this training and the entity that provided the training.