

Handout

Agenda Item 3

Date July 26, 2018

MEMORANDUM

TO: Board of Directors LGVSD

FROM: David J. Byers, Esq. District Counsel

DATE: July 23, 2018

SUBJECT: Board Policy B-50: Training/Conferences/Seminars/Travel Meals

Board Policy B-50 is designed to inform the Board, Staff and the public how the District compensates Board members for attending training, conferences and seminars. The Policy must be transparent, comply with California law and be specific such that items for reimbursement are clearly stated in the Policy to facilitate an understanding between the Board and Staff. Government Code 53065.5 provides that the District annually disclose reimbursements to Board members.

Recently a question arose as to whether a two-day event could not be considered a conference since it was in Sacramento without an overnight stay. After my review of the Policy and relevant law I have concluded it would be considered a conference subject to the four conference limit. Prior to giving this opinion the effected Board member withdrew the request that it be considered a conference. My conclusion is a prudent one.

Board members have offered suggestions which I would summarize as follows:

- 1) Increase the number of allowable conferences,
- 2) Cap annual conference expenditures,
- 3) Decrease the number of allowable conferences,
- 4) Increase the number of allowable conferences but decrease meeting stipend,
- 5) Limit the number of out of state conferences,
- 6) Include a fiscal year limitation in the budget,
- 7) Define conferences to exclude one day conferences w/o overnight hotel,

I have reviewed the Board policy and believe that it should be modified as shown in the attachment to add a sentence dealing with the recent question. At the July 26, 2018 meeting the Board should discuss the above items, bring forth any additional changes and make any determinations to change Board policy.

B-50 TRAINING/CONFERENCES/SEMINARS/TRAVEL/MEALS**Purpose**

This policy establishes the rules for attendance at training, conferences, seminars and other travel.

Since trips and travel expenses for training, conferences and seminars are being paid for with public funds, it shall be the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible to attain maximum benefit. Board members will limit expenses being borne by the District to be within the allowed limits.

B-50-10 Attendance Encouraged, but Limit on Number of Conferences. Board Members are encouraged to attend educational training, conferences and seminars, and serve as representatives of the District at professional meetings that clearly benefit the District and are directly related to improving the operation of the District. ~~In general,~~ Board Members are limited to four (4) conferences or seminars per calendar year for which the District will pay expenses per the approved usual and reasonable travel related reimbursement chart below. For multi-day conferences, compensation shall be at a maximum of one meeting per day. If travel to a conference requires travel of four hours or more, portal to portal, the Board member may charge for that day.

One day conferences without overnight travel will not be considered in the annual attendance limit and will be reimbursed as a special meeting. Any conference or seminar that a Board Member attends that is two days or longer shall be included in the four (4) conference or seminar limit. Board Members are required to submit a Meeting Attendance Request or a Conference Registration Form in advance of the requested travel. In order to receive approval for reimbursement, the requests should be submitted at least five business days prior to the Board Meetings.

B-50-20 Usual and Reasonable Costs. The Board will comply with Government Code §53232.2. The District will pay all usual and reasonable costs associated with attendance at approved training, conferences, seminars, and other travel, including, but not limited to, registration, lodging, mileage, meals, ground transportation and travel. Actual and necessary expenses incurred in the performance of official duties shall be reimbursable. Itemized receipts are required to be submitted for reimbursement. Usual meal related expenses shall be limited in total amount per day to the current District per diem amounts, which are pursuant to the prevailing U.S. General Services Administration's (GSA) current breakdown of meal reimbursement expenses per Internal Revenue Service (IRS) guidance. Attachment 1 contains a breakdown of the Daily Total for partial days and the maximum Daily Total for California locations.

Hotel receipts are not adequate for documentation for food expenses. The expenses shall be presented to the Board for approval through the normal administrative process.

Transportation (ie – by passenger vehicle, scheduled shuttle or taxi) reimbursement for travel to San Francisco Airport or Oakland Airport will not exceed a maximum of \$46.00 one way.

Cash tips unsubstantiated by receipts (i.e. - bellman, hotel maid) shall be reimbursed as incidental expenses subject to the prevailing US General Services Administration's current breakdown of incidental expenses.

Transportation expenses to an offsite event that is scheduled as part of a conference or meeting shall be reimbursable. Itemized receipts are required to be submitted for reimbursement. Tips for transportation such as cabs and shuttles that are included in the receipt from the driver shall be reimbursable and not included in the incidental expense portion of the daily expense limit specified by the US General Services Administration.

B-50-30 Expenses for Non-Conference Related Meetings. A Board member may attend a meeting that is not part of a conference where District business is discussed. Reasonable expenses for transportation and meals shall be reimbursed, subject to the substantiation requirements and meal and incidental expense allowances described above, after receiving approval from the Board.

B-50-40 Report to Board. A Board member who attends a conference/seminar/meeting etc. for which the District has paid expenses shall make an oral or written report to the Board, detailing what was learned that benefits the District.

Resolution No. 2017-2106	Date Approved: October 12, 2017
President of the Board	Supersedes: 2009-1872

B-60 BOARD MEMBER COMPENSATION

Purpose

This policy establishes compensation for Board Members to attend meetings.

B-60-10 Limit on Meetings. Board Members shall be compensated for up to the legal limit of six meetings per month and one meeting per day. Compensation shall apply to both Regular and Special Board meetings, Board committee meetings, meetings for organizations related to District business and professional meetings and conference attendance. If travel to a conference requires travel of four hours or more, portal to portal, the Board member may charge for that day. The travel day is included in the overall 6 meeting per month and one meeting per day limit.

To qualify for compensation for meetings of organizations related to District business, Board approval is required. Board members requesting attendance at meetings, including meetings of organizations related to District business, training, conference and/or seminars, shall submit their request to the entire Board at least five business days prior to the meeting.

B-60-20 Compensation Rate. Board Member’s meeting stipend shall be set at the maximum allowable under Senate Bill 1559 effective January 1, 2001. Note: the Board may want to include this sentence: “At present, the meeting stipend is \$252.70 which was set in 2008. Furthermore, the aforementioned new meeting stipend should be considered for increased annually the maximum allowable under Senate Bill 1559 on the first day of January in each succeeding year thereafter.

B-60-30 Compensation for Training, Seminars, Conference, etc. See B-50-10/20.

B-60-40 Tally Sheets. To receive compensation, Directors should provide a monthly meeting tally sheet (available from the District Secretary) within five days after the end of the month.

B-60-50 Reimbursement for Expenses. Board Members shall be compensated for all reasonable and legitimate expenses incurred in attending meetings or taking trips on behalf of the District that have been authorized by the Board. Expense reports shall be submitted within 30 days of attendance at the meeting. Any disputes shall be settled by majority vote of the Board.

B-60-60 Prevailing District Mileage Rate. Reimbursement for travel by private car shall be at the prevailing IRS mileage rate.

Resolution No. 2017-2106	Date Approved: October 12, 2017
President of the Board	Supersedes: 2016 - 2065

