

POLICIES FOR ETHICAL CONDUCT
REGARDING BOARD OF DIRECTORS COMPENSATION AND EXPENSES

It is the policy of the Walnut Valley Water District (“District”) that Board Members maintain the highest ethical standards of honesty and integrity. To assist Directors in meeting these standards there need to be clear policies guiding the Board with respect to compensation and expenses. These policies set forth the basic ethical standards for the members of the Board of Directors.

I. COMPENSATION FOR ATTENDANCE AT CONFERENCES, MEETINGS, SEMINARS, AND OTHER EVENTS

A. General Principles

1. Board members will be compensated at the daily rate (i.e., *per diem*) determined by the Board consistent with applicable law for attendance at meetings of the Board, including Board committee meetings (including teleconference or video conference meetings), and for each day’s service to the District, including travel time to and from conferences, meetings, seminars or other events, as set forth in these policies.
2. In addition to compensation for attendance, Directors will receive reimbursement for reasonable meals, lodging, and travel expenses incurred in attending Board approved activities in accordance with this policy.

B. Substantive Requirements

1. In order for a Board member to be paid a lawfully established *per diem* for attendance at a conference, organized educational activity, meeting, seminar, or other event, including, but not limited to, a teleconference, video conference or webinar, or for reasonable and necessary travel time to and from, it must be:
 - a. A “meeting” as defined in subdivision (a) of Government Code Section 54952.2 of the Brown Act, which currently reads:

“meeting” means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.” or
 - b. A committee meeting or other Board approved meeting, conference, organized educational activity, seminar, or other event, including, but not limited to, a teleconference, video conference or webinar, related to or informing the Board member on matters within the jurisdiction of the statutory powers of the District, provided that the program or subject matter deals with substantive issues of importance to the District; and such other activities, seminars or other events that deal with substantive issues of importance to the District that are approved by the General Manager as specified in Exhibit “C”.
2. For purposes of this policy, reasonable and necessary travel time, including overnight accommodations, shall include one day prior to and/or after a conference, meeting, seminar or other event provided:

- a. The conference, organized educational activity, meeting, seminar, or other event is held more than 50 miles from the District Office, or
 - b. Upon General Manager review, circumstances for attendance warrant an overnight stay either the evening prior to and/or following conclusion of the event.
3. Deviation, including full or partial cancellation, from Board approved attendance is subject to Personnel Committee review and the provisions set forth in Section I.B.2 of this policy. Following Committee review, should the matter be referred to the Board and the Board subsequently determines that prior authorization for attendance and/or payment of expenses be modified or rescinded, then those costs incurred by the District on behalf of the Director may be required to be repaid in accordance with the Board's decision.

4. Seven-Day Monthly Limit

Water Code Section 20202 permits compensation for attendance, i.e., per diem, for up to a total of ten (10) days in any calendar month. However, by Resolution No. 01-13-592 and Ordinance No. 01-13-593, the Board of Directors adopted a 7-day limit on per diem per calendar month—capped at \$150 per approved, compensable meeting.

- C. Procedural Requirement

1. Written Compensation Request Required

Compensation for attendance at, and travel time to and from, conferences, organized educational activity, meetings, seminars or other approved events, i.e., teleconferences, will be paid only if the Board member submits a request for payment using the required District "Director Expense Form" (Exhibit A), and provides the substantiation required by the District to ensure compliance with the Internal Revenue Service (IRS) Accountable Plan, as referenced in Exhibit B. In the event a Board member is not provided with a receipt or invoice from a vendor, or loses the receipt or invoice relating to such expenses, the Board member shall complete and submit to District staff the "Missing Receipt Affidavit Form," as set forth in Exhibit F. Any reimbursement in excess of substantiated expenses must be refunded.

2. Board Approval

The required Board approval may be given either before or by ratification after the attendance and travel; provided that any ratification must be for expenses incurred in accordance with these Policies.

3. Disclosure of Compensation

A copy of each Director's completed "Director Expense Form" shall, when submitted for payment of per diem or reimbursement of expenses, be presented to the Board of Directors at their next regular meeting for approval and, upon request, will be made available to the public.

II. REIMBURSEMENT TO DIRECTORS FOR EXPENSES

A. General Principles

1. Each member of the Board of Directors is encouraged to participate in those outside activities and organizations that in the judgment of the Board furthers the interests of the District.
2. Expenses incurred by Directors in connection with those activities set forth in the Guidelines for Board Compensated Meetings and Activities (Exhibit C) are reimbursable as noted when authorized in advance or subsequently ratified by the Board, subject to the following:
 - a. If Board ratification (after-the-fact approval) is necessary, then all initial costs for registration, travel, and attendance incurred in accordance with these Policies must be borne by the Director and use of a District-issued credit card for payment of any related expenses in advance of such approval is prohibited.
 - b. Upon Board ratification, the Director must submit a reimbursement request in accordance with Section I, C, 1 of this policy.
3. This policy is intended to result in no personal gain or loss to a Director.
 - a. All expenses must be reasonable and necessary, and Directors are encouraged to exercise prudence in all expenditures.
 - b. Reimbursement will be made only for actual disbursements and expenses that qualify as reimbursable expenses.
 - c. Expenses that are improper or otherwise not properly accounted for, or not consistent with the prohibition against gifts of public funds set forth in the California Constitution, will not be reimbursed or accepted by the District.
 - d. Where such improper expenses have been paid by the District, they will be promptly refunded to the District or deducted from monies otherwise due a Director in accordance with the Treasury "Safe Harbor" 120-day provision for an IRS Accountable Plan (Exhibit B).

B. Substantive Requirements

1. Transportation Expenses

Directors will be reimbursed for expenses incurred in traveling to and from Board authorized conferences, organized educational activity, meetings, seminars, and other events attended on behalf of the District in their capacity as Directors, subject to Section 2 below and the provisions of this policy.

Mileage reimbursement will be limited to attendance at those events held outside the District's service area.

Google Maps, Map Quest or another comparable website that accurately provides distance information will be used to verify mileage from the District to the location

of an event for which a request for mileage reimbursement is requested, with a 5-mile deviation being allowed in consideration of those instances when a given route might deviate from the norm due to traffic congestion, road construction, etc. If the deviation is greater than 5 miles, staff will verify the reason with the Director and note the explanation on the expense form.

2. Mode of Travel

- a. Directors must use the most economical mode and class of transportation reasonably consistent with scheduling needs and space requirements and the most direct and time-efficient route.
 - i. When an extension in travel beyond the time required for District business results in increased costs to the District, the Director shall be responsible for the increased costs and any other related expenses.
 - ii. Upon approval of the General Manager, exceptions to the above requirements may be made for extenuating circumstances, such as, delayed or canceled flights, inclement weather, medical necessity, or personal hardship.
- b. Directors are encouraged to discuss their travel needs as early as possible with District staff, who may make all final travel arrangements in accordance with the following:
 - i. Authorized travel expenses include round-trip airfare where necessary, actual reasonable expenses for ground transportation to and from airports, hotels, off-site meetings, restaurants, and automobile expense. Where possible, government or group rates should be used.
- c. Automobile Expenses
 - i. Car Rental – Directors shall be reimbursed for the cost of a rental car in the conduct of District business provided all JPIA driver eligibility, insurance, and program requirements have been complied with (Exhibit D).
 - ii. Use of privately-owned vehicles – Directors shall be reimbursed for use of privately-owned vehicles in the conduct of District business at the maximum allowable per mile rate established from time-to-time by the IRS, and subject to the provisions of this policy and provided all JPIA requirements have been complied with (Exhibit D).
 - iii. Taxis and/or RideSharing – Directors are encouraged to use taxis and/or ridesharing services, such as Uber or Lyft, where feasible in order to reduce expenses and avoid parking fees. Such expenses are reimbursable and Directors shall present receipts to substantiate those expenses, as required under these Guidelines.
 - iv. Use of District Vehicles – Directors shall not drive a District vehicle.

3. Meal Expense

Directors shall be reimbursed for the reasonable cost of meals, including tips, in conjunction with approved conferences, organized educational activity, meetings, seminars, and other events, and in the course of travel to and from subject to the following:

- a. Reimbursement must be in accordance with the criteria set forth in the District's Meal Expense Reimbursement Schedule/Guidelines, attached hereto as Exhibit E.
- b. Expenses incurred by or for a spouse, family member, or guest of a Director in connection with the Director's service or travel will not be allowed or reimbursed.

4. Overnight Accommodations

- a. Where reasonably possible, overnight accommodations shall be obtained in close proximity to the conference, seminar, or meeting site and at group rates published for such activity by the sponsor, if available. Directors shall strive to confirm their attendance at conferences early in the process to provide District staff with sufficient time to book accommodations to take advantage of early reservation discounts.
- b. No reimbursement shall be made for overnight accommodations for attendance at conferences, meetings, seminars, and other events held within 50 miles of the District office, unless such reimbursement is approved in advance by the Board.

5. Parking

- a. Airport Parking – Long-term parking is encouraged for travel exceeding 24 hours, subject to time constraints, safety concerns, and inclement weather.
- b. Hotel/Other Parking – Self-parking is encouraged, subject to time constraints, safety concerns, and inclement weather.

6. Communication Expenses

Telephone, facsimile, Internet, overnight, and/or courier expenses incurred in connection with approved District business will be reimbursed in accordance with this policy.

C. Procedural Requirements

1. Requests for Reimbursement

- a. Upon incurring authorized expenses, Directors may submit a request for reimbursement. All requests for reimbursement shall be submitted, using the District's Director Expense Form, by the first Friday of the month following the month in which the expenses were incurred and shall include substantiation required by Exhibit B, or the Missing Receipt Affidavit Form (Exhibit F).

- b. Rather than reimbursing a Director for expenses after they have been incurred, the District may pay such expenses directly, so long as such payments are made in accordance with this policy.

2. Use of District Credit Card

The District may authorize the issuance of a credit card in the Director's name to be used solely for purposes of paying for approved travel and related expenses permitted pursuant to this policy or for security purposes to verify travel-related information.

- a. District issued credit cards shall remain in the District vault until such time as needed. A Director may check out his/her credit card for District-approved business, travel, or other related expense a maximum of two business days (48 hours) in advance of scheduled use and should return the credit card to the District for safekeeping within two business days (48 hours) following the approved business use.
- b. Exceptions to this requirement may be authorized by the General Manager or designee.

3. Director Reports to Governing Board

At the District governing body meeting in the month following the conference, organized educational activity, meeting, seminar, or other event, including, but not limited to, a teleconference, video conference or webinar, attended at District expense, the Director attending shall provide a brief written, oral, or joint report on attendance and the subject matter. If multiple Directors attend the same function, a joint report may be made.

4. District Records of Expense Reimbursements

To implement the reporting requirements of Government Code Section 53065.5, the District shall disclose at least annually in a public record all reimbursements paid by the District to each Director for each individual charge of \$100 or more.

III. GOVERNING BOARD REVIEW

- A. The Personnel Committee shall, on an annual basis in the fourth quarter of each calendar year, review the following:
 - 1. Exhibit A - Director Expense Form
 - 2. Exhibit B - IRS Accountable Plan
 - 3. Exhibit C - Guidelines for Board Compensated Activities
 - 4. Exhibit D - JPIA Coverage Guidelines
 - 5. Exhibit E - Meal Expense Reimbursement Schedule/Guidelines
 - 6. Exhibit F - Missing Receipt Affidavit Form
- B. This policy in its entirety shall be reviewed by the Board of Directors on an annual basis.

Other Community and Governance Affiliations	All relevant meetings and functions sponsored or conducted by community and governance organizations dealing with substantive issues of importance to the District		X
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Adopted: 2/21/06 Amended: 6/20/06, 1/16/07, 2/13/08, 3/17/09, 11/18/13 Reviewed: 11/20/06, 11/15/10, 2/22/11, 11/19/12, 11/16/15, 10/15/18

WALNUT VALLEY WATER DISTRICT

Missing Receipt Affidavit Form

Please retain this form with the District's financial records in case of an audit.

Name (printed): _____

I certify that I made the purchase shown below for District purposes but do not have a receipt due to: (check all that apply)

	Vendor did not provide a detailed receipt.
	I had a receipt but cannot locate it.
	I have a receipt, but it is not readable (e.g. not in English and/or not legible). This document is provided in order to describe the items purchased.
	Order was placed via telephone, fax, or internet, and vendor has not supplied an invoice.

Vendor Name			
City			
Date of Purchase			
Detailed Description of Purchase (Attach additional sheets if necessary.)		Item Amount	
	Total Purchase Amount	\$	

This document is in lieu of an invoice or receipt for this transaction. I certify that all items listed above (and on the attached, if applicable) were purchased and received for District business.

Director's Signature: _____ Date: _____

NOTE: All information is required and must be typed or printed in ink. Use one affidavit per receipt.