

RESOLUTION 2023-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY ADOPTING A REIMBURSEMENT POLICY FOR BOARD MEMBERS IN ACCORDANCE WITH GOVERNMENT CODE § 53232 ET SEQ.

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

WHEREAS, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Vallejo, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, Section 4.8 of MCE's Joint Powers Agreement states that Compensation for work performed by Directors on behalf of the Authority shall be borne by the Party that appointed the Director; and

WHEREAS, Section 4.8 of MCE's Joint Powers Agreement further states that the Board, may adopt by resolution a policy relating to the reimbursement of expenses incurred by Directors; and

WHEREAS, California Government Code § 53232 et seq. requires local agencies to adopt a written policy specifying the types of occurrences that qualify a member of the legislative body to receive reimbursement of expenses relating to travel, meals, lodging, and other actual expenses incurred in the performance of their duties as a Director; and

WHEREAS, this Resolution 2023-07 contains a written policy that meets the requirements of California Government Code § 53232 et seq., provides guidance to the Directors on the use and expenditure of MCE resources, and includes standards against which those expenditures shall be measured; and

WHEREAS, MCE's Board of Directors wishes to adopt the expense reimbursement policy contained herein;

NOW, THEREFORE, BE IT RESOLVED, by the MCE Board of Directors:

1. The Board of Directors finds that the aforementioned recitals are true and correct and are herein incorporated into this Resolution.

2. The Board of Directors hereby adopts the following expense reimbursement policy that applies to Directors who are not compensated by their appointing Party for an expense, and seek expense reimbursement from MCE for agency-directed expenses, including travel and transportation, business meals, lodging, and conference expenses incurred while conducting their duties as a Board Member, and establishes procedures for authorization and reimbursement of such expenses. "Director" means a member of the Board of Directors representing member communities of MCE and is referred to herein as Director or Board Member.

Reimbursement Policy for Board Members

1. Travel and Transportation. For travel and transportation-related expenses, MCE shall reimburse Board Members for reasonable agency travel and other transportation expenses incurred while on agency-directed travel. When authorized, the actual costs of travel directly related to accomplishing agency-directed travel objectives shall be paid by MCE. Board Members are encouraged to use cost-effective options, including government and group rates when available, and consider reducing their transportation carbon footprint when booking travel. Board Members are responsible for any costs due to their own cancellations and are encouraged to seek reimbursement through the service providers as applicable. If MCE has booked travel accommodations on behalf of the Board member, the Board member shall reimburse MCE for any costs due to a Board Member's need to cancel.

1.1) Airline, Train, Buses, or Other Public Transportation. Directors shall be reimbursed for the full cost of economy/coach fares and carbon offsets. Upgrades for additional leg room shall be considered by the Executive Team on a case-by-case basis for flights exceeding 5+ hours or if special accommodations are needed. Neither first class nor business class air fare shall be reimbursed. Directors are further encouraged to limit time spent on travel and book non-stop options when available. Board Members traveling for up to 7 days shall be reimbursed for the full cost of checking up to one item, if not able to carry luggage on. Board Members traveling for greater than 7 days shall be reimbursed for the full cost of checking up to two items.

1.2) Car Rental. If car rental is necessary, such that travel for official duties lies outside of the 100-mile radius of MCE's service area, Board Members shall be reimbursed for the full cost of the rental fees, insurance, fuel, and carbon offsets. Board Members are encouraged to book cleaner air vehicles when feasible, such as hybrids, electric vehicles, and plug-in electric vehicles. Board Members shall not submit for a separate mileage reimbursement when using a rental car.

1.3) Taxi or Car Sharing. Board Members shall be reimbursed for the full fare, only when less expensive transportation is not available or is not practical.

1.4) Mileage, Parking Costs, Tolls. Board Members shall be reimbursed for out-of-pocket expenses necessarily incurred, which may include, but are not limited to: mileage, parking costs, and tolls.

- Board Members using a personal vehicle shall be reimbursed up to the current Internal Revenue Service mileage rate. This rate encompasses the costs of fuel, EV charging, automotive insurance, and wear and tear. Those charges shall not be separately reimbursed.
- Board Members shall be reimbursed for the full cost of parking if public transportation is not available or is not practical.
- Board Members shall be reimbursed for tolls actually incurred if there is a toll in their travel.

2. **Meals**. For business meal-related expenses, MCE shall reimburse Board Members for meals that occur during agency-directed business.

2.1) Reimbursement shall be made for the reasonable cost of meals, including gratuities, and taxes for meals at events requested by MCE for a Board Member to attend. MCE's approved reimbursement rates are based on the US General Services Administration rates for Contra Costa, Marin, Napa, and Solano Counties, or MCE's own meal-related expense limits. The purchase of alcohol is not a reimbursable expense.

2.2) MCE shall reimburse Board Members for personal meals due to overnight or extended daytime agency-directed travel when bringing a meal is not practical or feasible. Extended daytime travel is defined as 8 or more hours that occur in the course of agency-directed business. If meals are served at a conference, training or other business events Directors are attending at the direction of MCE, Directors are encouraged to utilize this option for networking and cost-savings.

3. **Lodging**. If a Board Member is required to attend an event at a site outside of MCE's service territory for more than 12 hours on a normal workday, the Board Member shall be reimbursed for lodging expenses with prior approval.

3.1) Board Members are encouraged to book lodging on-site at a conference or meeting location, if applicable.

3.2) When on-site lodging is not available, Directors are encouraged to book a cost-effective option, including using applicable government and group rates when available.

3.3) In the event that government and group rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable.

4. **Conferences**. For agency-directed, conference-related expenses, Board Members shall submit conference expenses for reimbursement. Board Members

are responsible for any costs due to their own cancellations and are encouraged to seek reimbursement through the service providers as applicable. If MCE has purchased event tickets on behalf of the Board member for their attendance, the Board member shall reimburse MCE for any costs due to a Board Member's need to cancel.

5. Other Expenses. Other expenses that do not fall within this reimbursement policy shall be approved by the governing body, in a public meeting, before the expense is incurred.

6. Expense Reports. For reimbursement of the aforementioned agency-directed expenses, Board Members must submit an expense report to MCE staff within 30 days of the expense being incurred. Any expense reports submitted greater than 90 days after the expense is incurred shall be considered invalid. The expense report should include a receipt and a brief explanation of the expense, if necessary. Where receipts are not available, such as for bridge tolls, the name of the bridge or toll-crossing is required to be identified on the expense report.

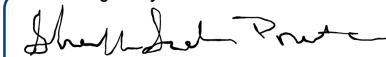
As required by California Government Code § 53232.3(d), Board Members shall provide brief updates on meetings attended at the expense of MCE at the next regularly scheduled Board meeting during the Board Announcement Section.

PASSED AND ADOPTED at a regular meeting of the MCE Board of Directors on this 15th day of June 2023, by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
County of Marin	X			
Contra Costa County	X			
County of Napa	X			
County of Solano	X			
City of American Canyon	X			
City of Belvedere	X			
City of Benicia				X
City of Calistoga	X			
City of Concord	X			
Town of Corte Madera	X			
Town of Danville	X			
City of El Cerrito	X			
Town of Fairfax	X			
City of Fairfield				X

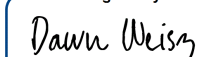
City of Lafayette				X
City of Larkspur				X
City of Martinez				X
City of Mill Valley	X			
Town of Moraga	X			
City of Napa	X			
City of Novato	X			
City of Oakley	X			
City of Pinole				X
City of Pittsburg	X			
City of Pleasant Hill	X			
City of San Ramon				X
City of Richmond	X			
Town of Ross				X
Town of San Anselmo	X			
City of San Pablo				X
City of San Rafael				X
City of Sausalito				X
City of St. Helena	X			
Town of Tiburon				X
City of Vallejo				X
City of Walnut Creek	X			
Town of Yountville	X			

DocuSigned by:


 5185F1BAECCF0426
 CHAIR, MCE

Attest:

DocuSigned by:


 A59878416EBC4F8
 SECRETARY, MCE