



CAC Item C9
Consent Item 12

TO: East Bay Community Energy Board of Directors

FROM: Jason Bartlett, Finance Manager

SUBJECT: Adopt Travel Reimbursement Policy for Board and Community Advisory Committee (Action Item)

DATE: February 15, 2023

Recommendation

Approve a Resolution adopting a Travel Reimbursement Policy (Policy) for the Board, Executive Committee, Community Advisory Committee (CAC), and any Brown Act Subcommittee to allow members to seek reimbursement for travel-related expenses for public meetings, including parking costs and public transit costs, effective February 15, 2023.

Background and Discussion

East Bay Community Energy Authority (EBCE) has endowed powers outlined in its mutually agreed upon Joint Powers Authority (JPA) charter. One of these powers is the ability of the Board of Directors to establish rules, regulations, policies, bylaws or procedures to govern any advisory commissions, boards and committees, and determine whether the members shall be compensated or entitled to reimbursement for expenses. (EBCE JPA, Section 4.8)

The JPA charter also allows the Board to adopt rules regarding Directors in its Operating Rules and Regulations. (EBCE JPA, Section 4.2.3)

As the Board and other committees resume in-person meetings, the Board seeks to adopt a Travel Reimbursement Policy pursuant to this authority to allow committee and Board members to seek reimbursement for travel-related expenses incurred for meetings that require the member's attendance. The Policy establishes reasonable guidelines for expense reimbursement for members of the Board, Executive Committee, CAC, and any other subcommittees that are subject to the Brown Act.

Proposed Travel Reimbursement Policy

The Travel Reimbursement Policy attached to this Report has been put forth for formal Board review and approval. It provides:

Members of the Board of Directors, Executive Committee, CAC, and any other subcommittee of EBCE subject to the Brown Act, may seek reimbursement for travel expenses directly related to attendance at public meetings.

Expenses directly related to attendance includes parking costs, mileage (at the IRS rate), and public transit costs.

Public transit costs are limited to costs incurred when traveling from the member's residence or workplace located within the EBCE's jurisdiction to the meeting location. (Where a member is traveling from outside of EBCE's jurisdiction, only that portion of the trip within the EBCE's jurisdiction shall be eligible for reimbursement.)

Members will not be able to seek reimbursement for the personal portion of any trip, or automobile expenses such as repairs, traffic citations, insurance, or gasoline.

Members must submit a request for reimbursement within 30 days after incurring the travel-related expense.

The CEO shall designate a point of contact to receive and process the reimbursements.

Fiscal Impact

It is estimated that this cost will not exceed \$20,500 per year. This estimate assumes 100% attendance to all qualifying meeting with \$50 of reimbursable expenses per meeting per attendee. This is a highly conservative estimate based on parking rates and current public transit rates.

Attachments

- A. Resolution of the Board of Directors to Adopt a Travel Reimbursement Policy for Directors and Members of Certain Committees and Subcommittees
- B. Travel Reimbursement Policy

RESOLUTION NO. ____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO ADOPT A TRAVEL REIMBURSEMENT
POLICY FOR DIRECTORS AND MEMBERS OF CERTAIN COMMITTEES AND SUBCOMMITTEES**

WHEREAS, The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020; and

WHEREAS, The Joint Powers Agreement (JPA) permits the Board of Directors to establish governing rules, regulations, policies, bylaws or procedures related to compensation or reimbursements for members of advisory commissions, boards and committees as the Board deems appropriate to assist in carrying out its functions and implementing the CCA Program, other energy programs, and the JPA; and

WHEREAS, The JPA also allows the Board to promulgate rules regarding Directors; and

WHEREAS, The Board recognizes that Board and committee members incur travel-related expenses to attend public meetings, as is required for their positions; and

WHEREAS, The Board finds that reimbursement for travel expenses of Board and other committee members is necessary for proper management and conduct of business of the EBCE; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board of Directors hereby approves the Travel Reimbursement Policy attached hereto as Exhibit A.

Section 2. This resolution shall become effective immediately upon its adoption.

ADOPTED AND APPROVED this 15th day of February, 2023.

Jen Cavanaugh, Acting Chair

ATTEST:

Adrian Bankhead, Clerk of the Board

TRAVEL REIMBURSEMENT POLICY

Policy Number: 1

February 15, 2023

Consent Item 12

Approved by Resolution:

I. PURPOSE

This document establishes a policy for reimbursement of expenses incurred by members of the East Bay Community Energy Authority (EBCE) Board of Directors, Executive Committee, Community Advisory Committee, and any agency subcommittee subject to the Brown Act (California Government Code §§ 54950 et seq.) while traveling to public meetings for which the member's attendance is required.

II. POLICY

1. Members of the EBCE Board of Directors, Executive Committee, Community Advisory Committee, and any EBCE Subcommittee subject to the Brown Act may seek reimbursement for travel expenses directly related to required attendance at a public meeting.
2. Expenses eligible for reimbursement shall include parking costs and public transit costs.
 - i. Reimbursement for parking and public transit costs shall be limited to those costs incurred when travelling to and from the EBCE meeting location and the member's residence or workplace located within EBCE's service jurisdiction.
 - ii. The personal portion of any trip and non-mileage automobile expenses such as repairs, traffic citations, insurance and gasoline are not eligible for reimbursement.
3. In order to receive reimbursement, members shall submit a Travel Reimbursement Form along with all receipts and any supporting documentation within a reasonable time after incurring the expense, and in any event no later than 30 days thereafter. The Chief Executive Officer of the EBCE shall designate a point of contact within the EBCE to develop, receive, and process the reimbursement forms.