

Community Advisory Council Compensation Policy and Procedures

About the Community Advisory Council

On November 17, 2021, the Board of Directors approved the formation of the Bay Area Air Quality Management District's (Air District) first Community Advisory Council (CAC). The CAC was created to advise the Air District on community related matters, to advance an equity forward policy agenda, and to provide input on key Air District policies and programs. The CAC consists of 17 members that reflect the diversity of the Bay Area and lived experiences of communities heavily impacted by air pollution. The members of the CAC include environmental justice leaders, physicians, non-profit professionals, students, and individuals with diverse skill sets.

Overview

The Air District recognizes the importance of supporting community involvement in Air District initiatives and providing financial support to increase equitable representation in agency programs and activities. This compensation policy describes how members of the CAC will get compensated by the Air District for their time related to meetings, and activities of the CAC or the Air District.

Budget

The Board of Directors wants to empower the CAC as a body of the Board to be impactful and designates funding for the CAC in the Air District's annual budget. The budgeted amount varies from year-to-year based on the availability of funds. The CAC Co-Chairs will work with the Air District Project Lead to request a desired funding level at the end of each year. The Air District's fiscal year is from July 1st to June 30th every year. The CAC's budget is intended to cover costs related to the operations of the CAC, including but not limited to: stipends, reimbursements, contractors (i.e., language services, facilitation), meeting venues, and other related costs. The Board will review the CAC's funding request and approve an optimal level of funding as part of the annual agency budgeting process. Once the Board approves a budget amount, the CAC Co-Chairs work with the Air District Project Lead to determine budget allocations for the operations of the CAC.

Compensation Policy

1. Stipends

Stipends are determined based on participation in meetings of the full CAC, Ad Hoc Committee meetings, Co-Chairs meetings, other required meetings, and other pre-approved activities.

1.1 CAC Meetings

CAC members can receive stipends for participation in meetings of the full CAC, currently occurring every other month (bi-monthly). The Air District will provide a stipend of five hundred dollars (\$500)¹ to travel to and from the meeting, prepare for, participate in, and everything else related to the Bi-monthly CAC meetings. The five-hundred-dollar (\$500) stipend for each CAC meeting is intended to cover time spent during the meeting and to fully prepare and participate in CAC meetings. This shall include any Air District trainings, and educational events hosted by the Air District in advance of a full CAC meeting. Trainings and educational activities made available to CAC members in preparation for CAC meetings are not compensated separately from the CAC stipend. The time preparing for and participating in the meeting is not to exceed 10 hours.

1.2 Co-Chairs Meetings, Committee Meetings, and Other Required Meetings

In compliance with the Brown Act, Co-Chairs Meetings and Ad Hoc Committee meetings are held virtually, standing Committee meetings must have quorum in-person, other required meetings (consisting of less than a quorum) may be in-person or virtually. Co-Chairs are compensated at \$75 per hour² to attend Co-Chairs meetings. The maximum number of hours per month to attend Co-Chair meetings is 4 hours. The Co-Chairs may attend meetings related to the work of the CAC, beyond the designated 4 hours for Co-Chairs meetings, as requested by the Board or Air District Staff. CAC members of an Ad Hoc Committee or standing Committee will be compensated at \$75 per hour to attend committee meetings and other required meetings related to the work of the CAC. The maximum number of hours per month for participation in each Ad Hoc Committee and Other Required Meetings shall not exceed 6 hours per member each month. CAC Members will only receive a stipend for time spent in meetings. Members will not receive a stipend for travel time or meeting preparation time.

To receive a stipend for participation members must be present in the meeting as set forth above. Stipends will be pro-rated based on time spent in the meeting. For example, if a member attends only 30 minutes of a one-hour meeting, they will receive only 50% of the hourly rate, or \$37.5.

1.3 Other Activities

Every fiscal year, each CAC member can apply for up to \$1,000 in funding to support their participation in events, activities, or services the CAC Co-Chairs and Air District Project Lead agree fulfils the mission of the Air District and purpose of the CAC. For example, the CAC may provide funding to send a CAC Member to a regional conference and the stipend would cover their time to attend conference sessions. Another example may be to pay a member of the CAC for research or work related to the Committees, above and beyond meeting attendance. The stipend is intended to cover pre-approved costs related to the work of the CAC up to \$1,000 and shall be calculated at \$75 per hour for time spent on the proposed activity. It is the responsibility of the CAC member to make a request for funding at an appropriate level of funding. Requests should be submitted to the Air District Project Lead thirty (30) days in advance of the proposed activity. When a Co-Chair makes a request, they shall recuse themselves from the approval process and the decision to approve the funding request will be made by the other Co-Chairs. When the

¹ Stipend is in alignment with the stipend the California Air Resources Board (CARB) provides to the Environmental Justice Advisory Committee.

² The Air District uses as a guide the living wage² in San Francisco, California for a household of three² (\$75/hour at the time of this publication) to determine an equitable community stipend amount.

CAC only has one Chair, and they make a request for funding, it must be approved by the full body of the CAC. Neither the CAC nor the Air District will be responsible for covering costs beyond the member's estimated expenses and up to a maximum of \$1,000. CAC Members must file a reimbursement for the approved \$1,000 stipend within the applicable fiscal year and are not eligible for additional funding from the "other activities" category until the next fiscal year. Unused funding will not rollover to the next fiscal year. This funding is only available to the CAC during the first 9 months of the fiscal year or until the amount budgeted in the CAC's Board-approved budget is exhausted, whichever comes first. The CAC Co-Chairs reserve the right to reallocate unused funding from this budget item after 9 months for any purpose related to the operations of the CAC.

2. Expense Reimbursement

Members of the CAC shall be reimbursed for actual and necessary expenses incurred by them in attending meetings of the CAC, Committee meetings and other pre-approved activities. Transportation, meals, and other incidental expenses will be allowed at the same rate as is allowed to Members of the Board of Directors as described in sections 2.1-2.3 below.

2.1 TRAVEL EXPENSES.

CAC Members are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Air District. The guiding principle of this policy is that travel and expenditures incurred on behalf of the Air District must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by Air District CAC Members.

a) General Procedures and Responsibilities

All travel for the Air District CAC Members must be justified business travel (Section j) and must be preapproved in accordance with the CAC's Compensation Policy to be eligible for reimbursement. For all in-state travel, the designated CAC Co-Chair, in agreement with the Executive Officer, may authorize CAC Member travel on behalf of the Air District. For all out-of-state travel, including international travel, the Finance and Administration Committee must authorize CAC Member travel on behalf of the Air District prior to travel. In the case of an unexpected or urgent need to travel on Air District business, a CAC Member must obtain in writing the approval of the designated CAC Co-Chair, and approval from the Executive Officer before any travel related expenditures are incurred. Such approval must be reported to and ratified by the Finance and Administration Committee at the committee's next meeting. CAC Members will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Section j. Actual receipts are required except where otherwise stated in this Policy. When a CAC Member combines business and personal travel on a business trip, the CAC Member will be responsible for the additional charges related to the personal travel. Only the CAC Member's direct travel expenditures are eligible for reimbursement. The Air District will not provide reimbursement for travel expenditures incurred by a spouse or any other individual traveling with the CAC Member. Requests for reimbursement of expenditures must be submitted on the authorized Air District Expense Reimbursement Form within 30 calendar days after the conclusion of the trip. Receipts

must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by the Air District which is subsequently refunded to the traveler by a third party must be repaid to the Air District within 30 calendar days of receipt. Only the Executive Officer can override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of the Air District to do so. Any CAC Member reimbursement that requires the waiver of this policy by the Executive Officer be brought back to the Community Equity, Health, and Justice Committee for informational purposes. Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act. Any CAC Member authorized to travel on behalf of the Air District pursuant to this section shall provide a brief, written report on their travel on the CAC Member Travel Report Back Form. Any Co-Chair may also request that CAC Members who represent the Air District at meetings, conferences, or other events provide an oral report on their participation and experience to the full CAC at the bi-monthly meeting following the CAC Members' return.

b) CAC Member Selection for Attendance

The CAC Chair/Co-Chairs shall nominate for approval by the Community Equity, Health, and Justice Committee, CAC Members for out-of-state and international travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the CAC Chair/Co-Chairs shall solicit the interest of CAC Members and consult with the Executive Officer and any other relevant Air District staff to ensure compliance with this policy.

The CAC Chair or Co-Chairs shall have priority to represent the Air District at any event where attendance is limited or capped due to cost or capacity. In considering which other CAC Members may be selected for travel, or who shall represent the Air District, the CAC Chair/Co-Chairs shall consider, at a minimum, all the following:

- The history of attendance and participation by the CAC Member at regular CAC, Co-Chair meetings, and Ad Hoc Committee Meetings (if the CAC Member is a member of an Ad Hoc Committee)
- The length of service on the CAC by a CAC Member
- The prior opportunities to travel and represent the Air District by the CAC Member
- The relevance or appropriateness of the CAC Member's committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new CAC Members
- The relevance and purpose of a meeting or agenda to the home jurisdiction of the CAC Member
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the CAC Chair/Co-Chairs shall have the authority to recommend non-CAC Members for inclusion in Air District-related travel. Non-CAC Members must live in an overburdened community within the 9-County Bay Area. The recommended non-CAC member cannot be a family member of any CAC member. In making such a recommendation, the Chair/Co-Chairs

shall demonstrate how and why the recommendation fulfills the mission of the Air District and is consistent with the purpose of the CAC and agency.

c) Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for CAC Members if the conference or convention is directly related to the mission of the Air District, and consistent with the purpose of the CAC, the CAC Member is attending as a representative of the Air District and the CAC Member received preapproval from the CAC Chair/Co-Chairs and agreement from relevant Air District staff.

d) Air Travel

CAC Members flying on business should make reservations as early as possible to minimize costs. For domestic air travel with a flight duration of four hours or less, airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to “economy plus” seats (or equivalent), or to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only. For domestic air travel with a flight duration of more than four hours, as well as for international travel, airfare may be purchased at the “economy plus” fare/seats. First and business class airfare is not a reimbursable expenditure, nor are upgrades to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available “economy plus” fare only. CAC Members will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the CAC Member is traveling with heavy or bulky materials or equipment necessary for Air District business.

e) Hotel Accommodations

Reimbursement for hotel accommodation while traveling on Air District business is limited to those circumstances where the meeting or activity is expected to last longer than one business day or if there is an emergency that causes the CAC Member stay overnight. When making hotel reservations, CAC Members must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that the Air District will reimburse per night, plus any applicable taxes.

CAC Members should use hotels where government rates are available.

Hotels that subscribe to a “green” standard must be utilized where available.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to the Air District by the hotel, such as governmental rates, to get the best rate possible.

If accommodations are shared with individuals who are not traveling on Air District business, the CAC Member is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing the Air District work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

f) Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on Air District business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession and must also have a good driving record. In the event a rental vehicle is required, the Air District will reimburse for a "Standard Class" size vehicle or alternative fuel vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary. The use of alternative fuel vehicles, when available, should be used, even if the cost triggers a surcharge or exceeds the cost of a non-alternative fuel vehicle.

The Air District holds liability insurance to cover third parties in case a CAC Member injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in Air District business. Accordingly, rental car insurance is not an allowable reimbursable expenditure. Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

g) Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center, the CAC meeting location, or the CAC Member's personal residence. Multiple-Day Travel – meals will be reimbursed at the lesser of:

- i) Actual reasonable cost (including applicable taxes and reasonable tip), or
- ii) The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner. For travel days where a CAC Member has traveled more than 12 hours but less than 24 hours, the Per Diem Rate shall be 75% of the GSA rate for the destination. If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by the Air District, then no separate reimbursement is allowed for that meal. A CAC Member who pays the bill for a meal attended by more than one CAC Member or Air District employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs related to CAC Members and Air District employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

CAC Members who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to

substantiate out-of-pocket expenses in the event of an audit by the State or IRS. Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to Air District business, movies, shows, etc...

h) Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where Air District business is discussed, must be preapproved by the Executive Officer. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation: i. Names of individuals present along with their titles and affiliation, ii. Name and location of where the meal took place, iii. Exact amount and date of the expenditure, and iv. Specific Air District-related topics discussed.

i) Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

In-flight phones and WiFi services should be used only in emergency situations.

Tipping – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for Air District business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. CAC Members should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – CAC Member's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov. Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

j) Justified Air District Travel

Justified Air District travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with Air District Staff for legislative advocacy purposes.
- Attending the AWMA Conference as an Air District representative
- Attending other air quality-related conferences as an Air District representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

k) Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades

Air phone charges (except in emergencies)

Alcoholic beverages

Business class airfare

Entertainment expenditures

Expenditures incurred by/for spouses or other travel companions

Expenditures related to personal days while on business trip

First class airfare Interest incurred on credit cards

Loss due to theft of cash or personal property

Lost baggage or briefcase Meeting room rentals (when not for Air District business) “No show”

charges for hotel or car service

Optional travel or baggage insurance

Parking or traffic tickets or fines

Personal items

Reading material such as magazines, books and newspapers

Rental car insurance

Valet parking fees

NOTE: Non-reimbursable expenditures are not limited to the list provided above. This list is provided for reference purposes only.

l) Forms

The Travel and Expense Reimbursement Forms and Member Travel Report Back Form are kept by the Clerk of the Board.

2.2 CAC MEMBER PER DIEM MEAL EXPENSES. The CAC is authorized to include meals in their expenses, when such expenses occur as a result of attendance at CAC, committee or other authorized functions and provided that receipts are presented as required.

2.3 INCIDENTAL EXPENSES OF CAC MEMBERS. Actual and necessary incidental expenses in attendance at other meetings or on direction of the CAC Chair/Co-Chairs, or Chairperson of the Board, the Community Equity, Health, and Justice Committee, or in conference on Air District business with qualified persons, shall be allowed to the member of the CAC.

Compensation Procedures

Payments

Stipend payments are processed based on meeting attendance. Air District staff track attendance during CAC meetings, Ad Hoc meetings and all other required meetings or events of the CAC. Air District staff will email each CAC Member an "Expense Report" documenting their attendance and corresponding stipend. CAC Members must return their signed expense forms with receipts **before** the 25th of each month. If the signed expense reports are submitted timely, payments will normally be processed within 2-3 weeks. If the signed expense form is received **after** the 25th, payment will be delayed by 6-9 weeks. Council Members may receive checks or sign-up for Direct Deposit.

Requirements

CAC Members are eligible to receive stipends and travel reimbursements with the appropriate documentation. To be eligible, a CAC Members must submit a completed W-9 form (with a Social Security number or IRS Individual Taxpayer Identification Number) to Air District staff. In addition, the CAC members must submit a *Community Advisory Council Compensation Agreement* to acknowledge receipt and understanding of the CAC's Compensation Policy and Procedures.

Disclaimers

Community Advisory Council Members are not employees of the Air District. Stipends are typically considered taxable income. As stipends are not considered wages, taxes will not be deducted. CAC members who meet certain income thresholds will have to calculate and pay taxes as required by law. In addition, an increase in taxable income could impact social program eligibility. Grievances applicable to any portion of the CAC Compensation Policy and Procedures shall be resolved in accordance with the Air District Administrative Code.