

Big Bear Area Regional Wastewater Agency

# Governing Board Handbook



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## Table of Contents

Mission Statement.....	3
Vision Statement.....	3
Core Values.....	3
Introduction.....	4
Purpose of the Governing Board Handbook.....	6
Purpose of the Governing Board of the Big Bear Area Regional Wastewater Agency .....	7
Ethics of the Governing Board .....	9
Code of Conduct for Governing Board Members.....	9
Officers of the Governing Board .....	11
Committees of the Governing Board .....	12
Administrative Committee.....	12
Operations Committee .....	12
Finance Committee .....	12
Ad-Hoc Committee.....	12
Board Policy: Advisory Committees .....	13
Ralph M. Brown Act.....	14
Board Meeting Conduct.....	14
Rules of Order for Governing Board Meetings .....	16
Meetings of the Big Bear Area Regional Wastewater Agency.....	18
Review of Administrative Decisions .....	21
Actions and Decisions of the Governing Board .....	22
Agendas for Governing Board Meetings .....	23
Minutes of the Governing Board Meetings .....	25
Governing Board Member Remuneration and Reimbursement .....	27
Brief Report .....	27
Reimbursement .....	27
Board Member Reimbursement Policy.....	28
Attachment A: Authorized Training Conferences and Seminars for Governing Board Members .....	32
Exhibit A: Report of Meetings Attended.....	33
Exhibit B: Training Request Form.....	35
Exhibit C: Travel Expense Form .....	37



## **Mission Statement**

The mission of the Big Bear Area Regional Wastewater Agency (BBARWA) is to efficiently collect, treat and beneficially reuse wastewater and biosolids in an environmentally and fiscally responsible manner.

## **Vision Statement**

The vision statement is a statement of where BBARWA wants to be. It focuses on the future, is a source of inspiration, and drives the Agency's plan.

- Implement a plan for reclaimed water.
- Continue to be on track with the implementation of the capital improvement plan.
- Have a succession plan for all levels of the organization.
- Have updated operational systems to improve efficiency, sustainability, and energy independence.
- Continue to have a trained, talented and motivated workforce.
- Be sharing services with its partners in the region.
- Have leveraged any and all opportunities in support of the Mission.

## **Core Values**

Core Values are those things to which the Governing Board is fiercely dedicated. The Governing Board can return to the Core Values to remind themselves of their overall importance. Core Values drive “the way we work here.”

- Fairness (equity among member agencies)
- Ethical Behavior
- Integrity
- Respect
- Honesty
- Accountability
- Open-Mindedness
- Transparent Communications
- Cooperation, as we implement the Vision and Mission
- BBARWA employees (as a valuable asset)



## Introduction

In 1972, the Big Bear Lake Sanitation District (precursor to the City of Big Bear Lake), Big Bear City Community Services District, and the County of San Bernardino formed the Big Bear Valley Wastewater Planning Commission, which was comprised of elected officials and concerned citizens from the Big Bear Valley. The Wastewater Planning Commission initiated and completed a study entitled the “Big Bear Area Regional Wastewater Management Plan” (Regional Wastewater Plan).

When the Big Bear Area Regional Wastewater Agency (BBARWA) was formed on March 22, 1974, the goal was to implement the Regional Wastewater Plan, which the Wastewater Planning Commission developed. Of primary importance, was the need to meet short and long-term collection, treatment, and disposal needs through a regional concept, while considering beneficial reuse and environmental and economic constraints. Success was realized in March 1976 when the voters of the Big Bear Valley authorized the issuance of Sewer Revenue Bonds for the construction of BBARWA’s facilities.

As it was in 1974, BBARWA’s goal is to continue to provide centralized, cost-effective, environmentally friendly wastewater conveyance, treatment and disposal for the entire Big Bear Valley. While the Equivalent Dwelling Units (“EDUs”) inventory has become relatively stable, influent flows can fluctuate dramatically due to weather and tourism. Today, providing these services has become much more specialized and challenging due to the ever-increasing regulatory oversight, new and evolving technologies, and additional stringent requirements.

BBARWA is committed to maintaining a fiscally responsible annual, short-term budget (1-5 years), along with long-range planning in order to provide its member agencies and their customers with reliable and cost-efficient service at a fair, economical and reasonable cost.

Pursuant to BBARWA’s rules and regulations for wastewater service, BBARWA revenues are derived from: (i) total annual charges (member agency fees); (ii) connection charges; (iii) standby fees; (iv) waste disposal fees; (v) rental income and interest income. These funds not only pay for the day-to-day operations of the facilities but also ensure that BBARWA will have funds available for continuous operation in the event of a natural disaster or catastrophic failure. The annual adoption of an investment policy, which prioritizes investments in safety, liquidity, and yield, ensures that the Governing Board and staff are following fiscally prudent guidelines while protecting the investment that the Big Bear Valley has in our facilities.

BBARWA is committed to planning, renovating, improving and rebuilding its facilities to ensure both public and environmental health and well-being. One of our long-range goals is the ability to continue serving current customers as well as future users, both commercial and residential, without frequent or substantial rate increases.

The Governing Board members are appointed from their respective agencies: the City of Big Bear Lake (2), the Big Bear City Community Services District (2), and the County of San Bernardino (1) acting on behalf of County Service Area 53B. Regular Governing Board meetings are held on



the fourth Wednesday of every month at 5:00 p.m. in the boardroom at BBARWA, 121 Palomino Drive, Big Bear City.

The employees of BBARWA are dedicated to serving its member agencies and their customers by providing continuous and excellent service. The staff has won numerous local and state awards for maintenance, operations, supervision, education, safety, laboratory, engineering, reclamation and more recently, awards for budgetary excellence.



## **Purpose of the Governing Board Handbook**

The purpose of the BBARWA Governing Board Member Handbook is to assist Governing Board members in their service to BBARWA. It is designed for use by all Governing Board members, newly appointed and experienced.

Please do not hesitate to contact the General Manager or another Governing Board member regarding the information contained within this handbook. Since all Governing Board members of BBARWA also serve as city council members, commissioners or directors of other Big Bear Valley entities and work with the general managers, staff and legal counsel of these entities, certain advice, policies and procedures will differ from agency to agency. In the event that any procedure, policy or advice received elsewhere is significantly different or creates uncertainty or should conflict arise, please contact the General Manager or Chair of the Governing Board for further assistance and/or clarification.

This handbook has been developed in conjunction with staff and the Governing Board with the final review being performed by legal counsel for legal sufficiency.

This handbook is intended to be utilized as a non-binding informational document summarizing existing rules, regulations and policies of BBARWA. No interpretation or use of this handbook shall result in the repeal or enactment of rules, regulations or policies of BBARWA. In the event of a conflict between the provisions of this handbook and existing rules, regulations or policies of BBARWA, the existing rules, regulations, and policies shall be controlling.



## **Purpose of the Governing Board of the Big Bear Area Regional Wastewater Agency**

The purpose of the Governing Board is to implement the Vision and Mission Statement of BBARWA.

The Governing Board is committed to providing excellence in legislative leadership that results in providing the highest quality services to its customers. In order to assist in the governance of the behavior between and among members of the Governing Board, the following rules shall be observed:

- The dignity, style, values, and opinions of each Governing Board member shall be respected and considered.
- Responsiveness and attentive listening in communication are encouraged.
- The needs and best interests of BBARWA shall be the priority of the Governing Board.
- The primary responsibility of the Governing Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of BBARWA are delegated to professional staff members of BBARWA. The Governing Board and individual Governing Board members do not have the authority to engage in the day-to-day activities of BBARWA.
- Governing Board members should commit themselves to emphasize the positive, speaking clearly and to the point, and communicating openly and constructively.
- Governing Board members should commit themselves to focus on the issues brought before the Governing Board. The presentation of the opinions of others should be encouraged and all opinions should be thoughtfully considered.
- Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable.
- Once the Governing Board takes action, Governing Board members should commit to supporting said action and avoid creating barriers to the implementation of the action.

Governing Board members should practice the following procedures:

- Governing Board members should request clarification of informational items from the General Manager. The General Manager shall then provide said information or obtain information from the applicable individual or source.
- Complaints from customers should be referred directly to the General Manager.
- Items related to safety, concerns for safety or hazards, should be reported to the General Manager immediately.



- The procedures for presenting items for discussion at Governing Board meetings are outlined in the Governing Board Administrative Policy and Procedures.
- Clarification for policy-related concerns, personnel issues, legal action, land acquisition and development, and finances should be referred directly to the General Manager. The General Manager shall then provide said clarification or obtain the clarification from the applicable individual or source.
- When approached by BBARWA personnel concerning BBARWA policy, Governing Board members should direct personnel to the appropriate supervisor. The chain of command must be followed.
- The work of BBARWA is a team effort. All individuals must work together.
- When responding to customers' requests and concerns, Governing Board members should be courteous, respond to individuals in a positive manner and route questions through appropriate management channels.
- Governing Board members should develop a working relationship with the General Manager wherein current issues, concerns, and BBARWA projects may be discussed comfortably and openly. However, Governing Board members should recognize that the General Manager has the authority to conduct the day-to-day management activities of BBARWA and that individual Governing Board members do not have the authority to take action or adopt policy.
- Governing Board members shall function as a part of a whole. Issues should be brought to the attention of the Governing Board as a whole, rather than to individual members selectively.
- Governing Board members are responsible for monitoring BBARWA's progress in implementing the Mission and Vision of BBARWA and attaining its short and long-term goals.
- The Governing Board is the unit of authority within BBARWA. Apart from their normal function as a part of this unit, Governing Board members have no individual authority. As individuals, Governing Board members may not commit BBARWA to any policy, act or expenditure.
- Governing Board members do not represent any fractional segment of the community, but are, rather, part of the Governing Body, that represents and acts for BBARWA as a whole.





## **Ethics of the Governing Board**

Governing Board members shall comply with the laws of the Nation, the State of California, and local laws as applicable to BBARWA in the performance of their public duties. These laws include, but are not limited to, the United States and California Constitutions, applicable local laws, laws pertaining to conflicts of interest, financial disclosures, employer responsibilities, open processes of government, and other rules, regulations, ordinances, and policies applicable to a public servant.

## **Code of Conduct for Governing Board Members**

The Code of Conduct for Governing Board members has been developed to assist the Governing Board members in their conduct and relationship with other Governing Board members, staff and customers.

1. While the Governing Board as a body cannot exercise control over individual Governing Board members, there are certain circumstances where BBARWA could be legally responsible for the actions of Governing Board members. One of the ways in which the potential for such liability may be reduced is to enforce a policy by which Governing Board members are required to deal directly with the General Manager, as opposed to interaction with BBARWA staff.
  - A. While the Governing Board expects individual Governing Board members to be provided common courtesy, it does not require staff to follow any individual Member's opinions or instructions.
  - B. Regardless of any individual Governing Board member's dissent from a decision of the Governing Board, the Governing Board member should support the decision and recognize that staff is bound by the directions imposed by the Governing Board as a whole.
2. There may be limited situations where Governing Board members may have minor and brief interactions with BBARWA staff for the purpose of obtaining limited amounts of information. When individual Governing Board members interact with staff, they must recognize that individual members have no authority over staff or to insert themselves into staff operation.
  - A. Decisions of the Governing Board acting as a whole shall provide policy direction to the General Manager for implementation by staff.
  - B. Nothing contained in Section 2 is intended to restrict or discourage normal and open communication between the Governing Board and staff for the purpose of obtaining limited amounts of information.
  - C. Although all members may register differences of opinion on Governing Board issues at the Governing Board level as passionately as desired, individual Governing Board members may not direct their differences of opinion to staff in a manner which would create dissension or polarization in the organization or undermine a decision of the Governing Board majority.



3. The Governing Board should direct, control and inspire BBARWA through the careful establishment of written policies. The Governing Board's major policy focus will be on the Mission, the Vision, and short and long-term goals and the means of attaining those goals.
4. The Governing Board should enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking, respect of roles and governance. Continuous Governing Board development will include orientation of new members. The Governing Board will allow no officer, individual Governing Board member or committee of the Governing Board to hinder or be an excuse for not fulfilling BBARWA's Mission.
5. The Governing Board should monitor and discuss the Governing Board process and performance regularly. Self-monitoring should include analysis of Governing Board activity and the Governing Board's discipline and adherence to policies.
6. The General Manager shall act as the official spokesperson for BBARWA. Notwithstanding the foregoing, the General Manager may designate another BBARWA employee(s), or the Governing Board may designate a Governing Board member to act as BBARWA's spokesperson if appropriate under the circumstances.



## **Officers of the Governing Board**

Pursuant to applicable law governing the formation and operation of BBARWA, the officers of the Governing Board will be elected annually by the Governing Board. The election of officers will normally follow a rotation between the various member agencies. A Governing Board member must serve on the Governing Board for a period of one year (12-months) before qualifying for the office of Chair. Prior appointments/assignments to the BBARWA Governing Board will satisfy the one-year service requirement for the office of Chair. In the event that an officer is unable to fulfill their position, the Governing Board will determine if new elections should be held.

The Chair of the Governing Board of BBARWA shall serve as Chair at all Governing Board meetings. The Chair is to assure the integrity of the Governing Board process including the effectiveness of meetings and the Governing Board's adherence to Governing Board policy. The Chair shall have the same rights as the other members of the Governing Board in voting, including motions, resolutions and ordinances, and any discussions or questions that follow these actions.

In the absence of the Chair, the Vice-Chair of the Governing Board shall serve as Chair over all meetings of the Governing Board. The Vice-Chair will also monitor the Governing Board process including the effectiveness of meetings and adherence to policy.

If the Chair and Vice-Chair of the Governing Board are both absent, one of the present members of the Governing Board shall be selected to act as Chair of the meeting.

The Chair shall execute Governing Board documents on behalf of the Governing Board unless such authority has been delegated to the General Manager under specific circumstances. The Secretary to the Governing Board shall affix their signature to formally attest to the legitimacy of Governing Board documents/actions. The Secretary is also responsible to the Governing Board for reporting on and noting any inconsistency of Governing Board actions and policy.



## **Committees of the Governing Board**

Historically committees are convened at the General Manager or Governing Board's request. After each meeting, it is expected the committee will provide either an update or recommend follow up action by the Governing Board. This update or recommendation can either be verbal, in memo form, or in the form of a staff report.

Committees shall only be established to assist the Governing Board to perform its duties.

1. Committees will advise the Governing Board, not staff.
2. Governing Board Committees may not speak or act for the Governing Board. The authority of the Committee will not conflict with authority delegated to staff.
3. Governing Board Committees cannot exercise authority over staff.

### Administrative Committee

The Administrative Committee is tasked with providing advice to the governing body regarding meetings with the General Manager, evaluation of the General Manager's performance, participate in the development and hiring of managerial level employees, and other tasks as assigned by the governing body.

### Operations Committee

The Operations Committee is tasked with providing advice to the governing body regarding new facilities and capital expenditures, inter-governmental relationships, regulatory agencies and other tasks as assigned by the governing body.

### Finance Committee

The Finance Committee is tasked with providing advice to the governing body regarding the draft budget, the audit process, rates and fees and proposed changes, check approval/signing process, and other tasks as assigned by the governing body.

### Ad-Hoc Committee

The Governing Board Chair shall appoint such Ad-Hoc Committees as may be deemed necessary. The duties of the Ad-Hoc Committee shall be outlined at the time of appointment, and the Committee shall be considered dissolved when its final report is completed or at the preset date determined by the Governing Board Chair. The procedures for creating and appointing temporary Ad-Hoc Committees are formally documented in the Administrative Policy and Procedures and shall also be implemented in accordance with the requirements of the Ralph M. Brown Act. Ad-Hoc Committees shall consist of less than a quorum of the Governing Board, shall not contain any alternates, and shall not have a fixed meeting schedule.



## **Board Policy: Advisory Committees**

### **I. PURPOSE**

- A. The purpose of this Administrative Policy and Procedure is to establish the policy for creating and appointing members to permanent and temporary advisory committees. The Agency currently has an ordinance in place that reflects the following policy and procedure.

### **II. GENERAL**

- A. The Governing Board may create such advisory committees as may be deemed necessary or advisable by the Governing Board to review specific agency functions, activities, continuing subject matter jurisdiction and/or operations.

### **III. POLICY**

- A. The Chair(man) of the Governing Board appoints members of the advisory committee after the Governing Board approves the establishment of the committee(s). The Chair(man) appoints no more than two members to each advisory committee. If deemed appropriate at the time of appointment, the Chair(man) may appoint an alternative to serve in the absence of one of the members.
- B. The duties and status (permanent or temporary) of the advisory committee are outlined by the Governing Board at the time of its creation. The advisory committee submits its findings and/or recommendations to the entire Governing Board in accordance with the schedule established at the time of its creation.
- C. Members of the advisory committee are appointed for no more than a twelve-month term unless the Chair(man) of the Governing Board otherwise extends this term. The term for permanent committees is established as March 1 through February 28, unless extended by the Chair(man) of the Governing Board. The term for temporary committees is determined at the time the committee is created.
- D. The advisory committee is considered dissolved when its tasks are completed, unless the Governing Board directs that the committee remains in existence temporarily or as a permanent committee. The term of membership for each permanent committee member shall end on February 28, unless the Chair(man) reappoints the member to the committee.
- E. Any changes to items A – D require an amendment of the current ordinance pertaining to the creation and appointment of permanent and temporary advisory committees and this policy.



## **Ralph M. Brown Act**

The Ralph M. Brown Act and Proposition 59 govern meetings conducted by the Big Bear Area Regional Wastewater Agency. The Act represents the State Legislature's general determination to allow public access to all debates, deliberation and decision making of the Governing Board. However, there are specific exceptions to this open meeting requirement. These issues primarily involve personnel, potential litigation, litigation, labor negotiations, and real property acquisitions.

## **Board Meeting Conduct**

1. Meetings of the Governing Board shall be conducted by the Chair in a manner consistent with the policies of BBARWA.
2. All Governing Board meetings shall commence at the time and date stated on the agenda or soon thereafter and shall be guided by it.
3. The conduct of the meetings shall, to the fullest possible extent, enable the Governing Board to:
  - A. Consider policy and problems to be solved, weigh evidence related thereto, and make wise decisions related to the policy or problems; and
  - B. Receive, consider and take any needed action with respect to reports, needs or accomplishments of BBARWA.
4. Pursuant to the Ralph M. Brown Act, Governing Board regular meetings shall provide, as part of the agenda, a time for public comment on matters either on the agenda or within the subject matter jurisdiction of BBARWA. The agenda for special meetings of the Governing Board shall provide time for public comments for matters on the agenda and may provide a time for other public comments.
5. Governing Board members shall attend all regular and special meetings of the Governing Board unless there is a good cause for absence.
6. Governing Board members shall thoroughly prepare themselves to discuss agenda items at meetings of the Governing Board. Such preparation may include obtaining information from the General Manager.
7. Information that is exchanged before meetings shall be distributed through the General Manager and all Governing Board members will receive all information being distributed.
8. Governing Board members shall at all times conduct themselves with courtesy to each other, staff and members of the audience present at Governing Board meetings.
9. Governing Board members shall defer to the Chair for the conduct of meetings of the Governing Board but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Governing Board.



10. Governing Board members shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such conflict of interest exists, Governing Board members should not abstain from the Governing Board decision-making responsibilities without good cause. Governing Board members shall comply with applicable laws, rules and regulations pertaining to potential and existing conflicts of interest including, but not limited to, the California Political Reform Act.
11. Requests by individual Governing Board members for substantive information and/or research from BBARWA staff will be channeled through the General Manager or designee. Governing Board members shall direct technical questions to staff through the General Manager prior to a Governing Board meeting, in sufficient time to allow a response prior to or at the meeting.



## Rules of Order for Governing Board Meetings

1. Action items shall be brought before and considered by the Governing Board by motion in accordance with this policy. In addition, BBARWA policy or California law may require that certain action items be adopted by resolution or ordinance. These rules of order are intended to be informal and applied flexibly.
2. Any Governing Board member desiring to speak should address the Chair and upon recognition by the Chair, may address the subject under discussion.
3. Any Governing Board member, including the Chair, may make or second a motion. A motion shall be brought and considered as follows:
  - A. A Governing Board member makes a motion, another Governing Board member seconds the motion, and the Chair states the motion.
  - B. Once the Chair has stated the motion, the motion is open to discussion and debate. At the point where the Chair determines that the motion has been fully debated, the Chair will close the debate and call for the vote. If a Governing Board member objects to the suggestion that the debate be closed, the Chair may state that the debate will continue until a Governing Board member makes a motion to close the debate.
    1. A Governing Board member may make a motion to close the debate on the motion being discussed, another Governing Board member may then second the motion, and the Chair then states the motion. No debate is allowed on such a procedural motion regarding whether to close the debate. The vote is then taken on the motion to close the debate. The motion must be made, seconded, and approved by a majority vote of the Governing Board. After the debate is closed, the Chair presents the motion to the Governing Board by repeating the underlying motion. The vote is then cast on the underlying motion. The underlying motion must be made, seconded, and approved by a majority vote of the Governing Board.
  - C. Ordinarily, only one motion can be considered at a time and the motion must go through the required process before any other motion or business is considered. However, there are a few exceptions to this general rule. A secondary motion concerning the main motion may be made and considered before voting on the main motion as follows:
    1. A secondary motion to amend the main motion may be made before the main motion is voted on, either by the consent of the Governing Board members who moved and seconded or by a new motion and second.
    2. A secondary motion to table a motion may be made before the main motion is voted on. A motion to table a motion must be seconded and approved by a majority vote of the Governing Board.





3. A main motion may be referred to a Governing Board Committee for further study and recommendation by a secondary motion, which is then seconded and approved by a majority vote of the Governing Board.
  4. A secondary motion to close the debate and vote immediately may be made before the main motion is voted on.
  5. A secondary motion to adjourn a meeting may be made, seconded and approved by a majority vote of the Governing Board before voting on the main motion.
4. The Chair shall take whatever actions are necessary and appropriate to preserve order and decorum during the Governing Board meetings, including public hearings. The Chair may eject any person or persons willfully disrupting the meeting or hearing. Such authority may be exercised by the Chair and the Governing Board in accordance with and subject to, the authority and requirements set forth in the Ralph M. Brown Act including, but not limited to, Government Code Section §54957.9.
    - A. The Chair may also declare a recess during any meeting or public hearing.
  5. These Rules of Order for Governing Board meetings shall be implemented by the Chair. The extent to which these Rules will be implemented and enforced will be determined by the Chair based on the circumstances.



## Meetings of the Big Bear Area Regional Wastewater Agency

1. Regular meetings of the Governing Board of the Big Bear Area Regional Wastewater Agency (BBARWA) are normally held on the fourth Wednesday of each month at 5:00 p.m. at 121 Palomino Drive in Big Bear City, California.
2. Special Meetings (Non-emergency). The Chair of the Governing Board may call special meetings (non-emergency) of the Governing Board. In addition to the requirements of the Ralph M. Brown Act/Open Meeting Laws, the following procedures will be followed for a special meeting:
  - A. All Governing Board members, the General Manager, the Finance Manager, and the Plant Manager shall be notified of the special Governing Board meeting along with the purpose for which it was called. Such notification shall be delivered to them at least twenty-four (24) hours prior to the special meeting.
  - B. Newspapers of general circulation within the BBARWA service area shall be notified of the meeting. Any other media, organizations, property owners, and other citizens who have requested notice of meetings in accordance with the Ralph M. Brown Act (California Government Code Section §54950 through §54957) shall be notified.
  - C. An agenda shall be prepared as specified for regular Governing Board meetings in accordance with Governing Board Policy and Administrative Policy and Procedures.
3. Special Meetings (Emergency). In addition to the requirements of the Ralph M. Brown Act/Open Meeting Laws, the following procedures will be followed for a special meeting (emergency):
  - A. For purposes of this section, an “emergency situation” means both of the following: (1) an emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the Governing Board; and (2) a dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Governing Board to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the Governing Board.
  - B. Subject to Item 3.A above, in the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Governing Board may hold an emergency special meeting without complying with the twenty-four (24) hour notice required in Item 2.A above.



- C. Newspaper(s) of general circulation within the BBARWA service area, other media, organizations and property owners who have requested notice of meetings in accordance with the Ralph M. Brown Act (California Government Code Section §54950 through §54957) shall be notified by the Secretary to the Governing Board, or their designee, at least one hour prior to the emergency special meeting, or in the case of a dire emergency, at or near the time the Governing Board members are notified of the emergency special meeting. This notice shall be given by telephone and all telephone numbers provided in the most recent request for notification of meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirement is waived. The Secretary to the Governing Board, or their designee, shall notify such newspaper(s), other media, organizations and property owners of the fact of the holding of the emergency special meeting and of any action taken by the Governing Board, as soon after the meeting as possible.
  - D. A closed session may be held during an emergency special meeting in accordance with the Ralph M. Brown Act (§54957), if agreed to by a two-thirds vote of the Governing Board members present, or if less than two-thirds of the members are present, by a unanimous vote of the members present.
  - E. All other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice.
  - F. The minutes of the emergency special meeting, a list of persons the Secretary to the Governing Board, or their designee, notified or attempted to notify, a copy of the roll call(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the BBARWA office as soon after the meeting as possible.
4. Adjourned Meetings. In addition to the requirements of the Ralph M. Brown Act/Open Meeting Laws, a meeting may be adjourned as follows:
- A. A majority vote by the Governing Board may terminate any Governing Board meeting at any place in the agenda to a stated time and place specified in the order of adjournment, except that if no Governing Board members are present at any regular or adjourned regular meeting, the Chair, or their designee, may declare the meeting adjourned to a stated time and place and shall cause a written notice of adjournment to be distributed to those persons specified in Item 2.A and 2.B above.
5. Annual Organizational Meetings.
- A. The Governing Board shall hold an annual election of officers at a meeting in February or as soon thereafter as practicable. At this meeting, the Governing Board will elect a Chair, Vice-Chair, and Secretary to the Governing Board. The Chair and Vice-Chair shall be members of the Governing Board and the Secretary may, but need not, be a member of the Governing Board.



6. In accordance with the requirements of the Ralph M. Brown Act/Open Meeting Laws, the Chair and the General Manager shall ensure that appropriate information is available for members of the audience at the meetings of the Governing Board and that physical facilities for said meetings are functional, appropriate and accessible. The General Manager shall coordinate reasonable accommodations for accessibility when requested by Governing Board members or members of the public.



## **Review of Administrative Decisions**

The purpose of this Governing Board Policy is to aid in the efficient administration of BBARWA.

1. The provisions of §1094.6 of the Code of Civil Procedures of the State of California shall be applicable to judicial review of all administrative decisions of the Governing Board of BBARWA, pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of BBARWA, affecting the subject matter of the appeal.
2. This policy affects those administrative decisions rendered by the Governing Board, governing acts of BBARWA, in the conduct of BBARWA's operations and those affecting personnel operating policies.



## Actions and Decisions of the Governing Board

1. Actions of the Governing Board include, but are not limited to the following:
  - A. Adoption or rescission of regulations or policies;
  - B. Adoption or rescission of an ordinance or resolution;
  - C. Approval of any contract or expenditures;
  - D. Approval of any proposal which commits BBARWA funds or facilities; and
  - E. Approval or disapproval of matters that require or may require BBARWA or its employees to take action, provide services, or otherwise render a decision on matters that require approval or disapproval.
  
2. Action of the Governing Board can only be taken by a majority vote of the Governing Board. Three (3) Governing Board members represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present (3 members), require all three (3) votes to be effective (unless a supermajority vote is required by law).
  - A. A member abstaining in a vote is considered absent for that vote.  
  
*Example: If 3 of 5 Governing Board members are present at the meeting, a quorum exists, and business can be conducted. However, if one Governing Board member abstains on a particular action and the other two (2) cast "Aye" votes, no action is considered taken because a majority of the Board did not vote in favor of the action.*
  
3. If permitted under applicable law, the Governing Board may give directions that are not considered formal action. Such directions do not require a formal procedural process. Such directions shall be limited to directives and instructions to the General Manager and shall be considered the informal consensus of the Governing Board.
  - A. The Chair shall determine such an informal consensus and state the directive for clarification. Should any member of the Governing Board challenge the directive, a voice vote will be taken, and the matter will then be considered under the formal procedure for a motion.
  - B. A formal motion may be made to place a disputed directive on a future agenda for Governing Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).
  - C. Informal action by consensus of the Governing Board is still Governing Board action and shall only occur regarding matters that appear on the agenda for the Governing Board meeting, during which said informal action is considered.



## Agendas for Governing Board Meetings

Communication with the Governing Board is conducted formally through agenda reports included in the agenda package; this is a similar method used at other local agencies.

1. The current Administrative Policy and Procedures for agenda preparation and placing an item on an upcoming agenda is maintained in the Administrative Office.
2. Closed session items will be distributed right before the closed session begins in a sealed envelope stamped “Confidential.” The General Manager will collect all closed session material after the meeting adjournment to reduce the risk of inadvertent disclosure.
3. On occasion, due to the timing of available materials, supplemental agenda items may either be distributed at the meeting or posted online. Directors may be notified by email in advance.
4. Any member of the public may request that a matter directly related to BBARWA business be placed on the agenda of a regularly scheduled meeting of the Governing Board, subject to the following conditions:
  - A. The request must be in writing and submitted to the General Manager with supporting documents and information, no later than 12:00 noon, fourteen (14) days prior to the meeting deadline using the form provided.
  - B. The General Manager shall either place the request on the agenda or provide the request to the Chair of the Governing Board, along with any supporting documentation and information provided by the requestor. The Chair, in their discretion, may direct the General Manager whether to place the item on a future agenda. The Vice-Chair may be consulted if the Chair is not available.
  - C. Since the public is not permitted to participate in the discussion of any closed session item, the public may not request that an item is discussed or considered in closed session.
  - D. The right of any member of the public to speak to an item requested to be placed on the agenda will be governed by Agency policy and applicable requirements of the Ralph M. Brown Act, including Government Code Section §54954.3.
  - E. Pursuant to Government Code Section §54954.3, this policy shall not prevent any member of the public from exercising their right to address the Governing Board on any item of interest to the public, before or during the Governing Board’s consideration of the item, that is within the subject matter jurisdiction of the Governing Board, provided no action is taken on any item not appearing on the agenda unless the action is otherwise authorized by Government Code Section §54954.2.
5. In accordance with requirements of the Ralph M. Brown Act, at least seventy-two (72) hours prior to the time of all regular meetings, an agenda, that includes a brief general



description of all matters on which there may be discussion and/or action by the Governing Board, shall be posted in a location freely accessible to members of the public at the BBARWA facilities. The agenda will be distributed via email to the Governing Board and will be posted on the BBARWA website at [www.bbarwa.org](http://www.bbarwa.org).

- A. The agenda for a special meeting shall be posted at least twenty-four (24) hours prior to the special meeting in the same location and shall be given in accordance with other requirements of the Ralph M. Brown Act.
  - B. A member of the public may address the Governing Board concerning any item on the agenda of a regular or special meeting, or at a meeting. In addition, the public may address any item within the jurisdiction of the Governing Board at regular meetings. Such public comments shall be in accordance with Administrative Policy and Procedures and other policies of BBARWA.
  - C. No boisterous conduct shall be permitted at any Governing Board meeting. Persistence in boisterous conduct shall be grounds for adjournment by the Chair and/or enforcement of the Rules of Order for the Governing Board meetings and the exercise of rights provided and/or with the Ralph M. Brown Act.
6. Pursuant to the authority set forth in the Ralph M. Brown Act, willful disruption of any meeting of the Governing Board of BBARWA shall not be permitted. If the Governing Board finds there is, in fact, willful disruption of any meeting, the Governing Board may order the room cleared and subsequently conduct the Governing Board business without the audience present.
- A. In such an event, only matters appearing on the agenda may be considered in such a session.
  - B. After clearing the room, the Governing Board may permit those persons who, in their opinion, were not responsible for the willful disruption to re-enter the meeting room.
  - C. Representatives of the news media, whom the Governing Board finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.





## Minutes of the Governing Board Meetings

1. The Secretary to the Governing Board shall attest to minutes of all regular and special meetings, documents, ordinances, and resolutions of BBARWA.
2. Motions, resolutions or ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action was unanimous.
  - A. All resolutions and ordinances adopted by the Governing Board shall be numbered consecutively starting anew at the beginning of each calendar year.

*Example: Ordinance No. O.01-2003 or Resolution No. R.01-2003.*
3. The minutes of the Governing Board meeting shall be maintained as hereinafter outlined:
  - A. Date, time, place, and type of each meeting;
  - B. Call to order with the time;
  - C. Governing Board members present and absent by name;
  - D. Late arrival of Governing Board members by name;
  - E. Pre-adjournment departure of Governing Board members by name, or if absence takes place when agenda items are acted upon;
  - F. Staff members present;
  - G. Others present as indicated on the sign-in sheet;
  - H. Record of items to be considered at the meeting; and
  - I. Governing Board actions, such as:
    1. Approval or amended approval of the minutes of previous meeting(s);
    2. Complete information as to each subject of the Governing Board deliberation;
    3. Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
    4. All Governing Board resolutions and ordinances in complete context, numbered sequentially for each calendar year;
    5. A record of all contracts entered into;
    6. A record of all bids awarded to include all bids received and other action taken;
    7. A record of approval/disapproval of all warrants approved for payment;
    8. Adoption of the annual budget;



9. A report of all information reported out of closed session;
10. A report of any conflicts of interest identified on the record;
11. The time of opening and closing of any public hearings;
12. Financial reports including collections received and deposited and sales of surplus property;
13. Approval of all policies and Governing Board adopted regulations; and
14. A record of all visitors and dignitaries appearing before the Governing Board. However, pursuant to Government Code Section §54953.3, a member of the public shall not be required to register their name or otherwise fulfill any condition precedent to their attendance.



## **Governing Board Member Remuneration and Reimbursement**

Under applicable Administrative Policy and Procedures and applicable law, members of the Governing Board shall receive lawful compensation based upon Governing Board approved meetings or days of service.

Under current law and policy, Governing Board members shall be compensated \$150 for each approved day of service, not to exceed 6 meetings per calendar month. (Ord. No. O. 02-2013.) “Day of Service” shall be defined in accordance with Government Code section 61047(e).

### Brief Report

At the next regular Governing Board meeting, Directors should provide a brief report, orally or written, on any meetings attended at Agency expense. If multiple Directors attended the meeting at the Agency expense, a joint report may be made to the Governing Board.

### Reimbursement

The Board Member Reimbursement Policy for professional development events, such as conferences, training, and continuing education and other official business is on the following page.



## **Board Member Reimbursement Policy**

### **I. PURPOSE**

- A. The purpose of the Board Member Reimbursement Policy is to establish policy and procedure for Board member compensation and travel expense reimbursement for attending professional development events, such as conferences, training, continuing education and other official business.

### **II. GENERAL**

- A. Governing Board members attend meetings of national, state and local associations that are relevant to the function of the Agency and shall consider attendance as an opportunity for in-service training. Agency Board members are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve BBARWA's operations and provide insight.
- B. Travel expense reimbursement is authorized for conferences, education and training events, meetings, tours and other functions from which Governing Board member attendance provides a specific benefit and serves a BBARWA-related purpose.

### **III. POLICY**

- A. Governing Board members receive compensation at a rate established by ordinance for each Regular or Special Board meeting, Committee meeting, or approved professional meeting, tour, conference, or training event that he or she attends. A Report of Meetings Attended form (see Exhibit A) is completed by Agency Staff and submitted to each Governing Board member at the end of each month for their approval prior to issuing a compensation payment.
- B. Governing Board members who are not members of a Committee and who attend meetings, tours, conferences and training events that pertain specifically to a BBARWA Committee rather than to the Board in general, will need to obtain authorization from a majority of the Governing Board for attendance and travel reimbursement, prior to attendance of such functions.
- C. A Governing Board member may attend and seek travel reimbursement, without prior approval, for Authorized Training Conferences and Seminars for Governing Board Members (see Attachment A). All other Governing Board member attendance and travel expense must be authorized by the Governing Board through a majority vote prior to attendance.
- D. Compensation or travel reimbursement is not provided for attendance at social events or meetings of other local government agencies.



- E. Compensation or travel reimbursement is not provided for junkets (i.e., tours or journeys for pleasure, without an official purpose).
- F. Governing Board member reimbursement is provided for transportation, lodging and meal expenses associated with attendance at conferences or meetings held outside of the San Bernardino Mountains. Such overnight stays are authorized in advance by the Governing Board if not specified on the list of Authorized Training Conferences and Seminars. Prior authorization is not required for events that may continue longer than originally anticipated due to an unforeseen emergency or inclement weather conditions. The Agency makes reimbursement payments for out-of-pocket seminar costs. Each Governing Board member seeking reimbursement must complete a Travel Expense Report form (see Exhibit C) and attach the related receipts.
- G. Upon completion of an Agency-funded training or conference, the Governing Board member prepares a written report regarding the conference for distribution to the Governing Board at the next regular meeting. Material from the session or event may be delivered to the BBARWA office to be included in the BBARWA library for future use by staff and Governing Board members.
- H. Governing Board members are encouraged to attend the closest available seminar and must always travel using the least expensive, most practical transportation option.
- I. All work-related, incidental expenses will be reimbursed by the Agency when receipts are provided, including parking, and other business-related expenses.
- J. Travel expenses are not eligible for reimbursement if incurred subsequent to a Governing Board member's resignation or an election which results in the Governing Board member not retaining his or her seat on the Governing Board. If travel was arranged in advance of these events, and any portion thereof paid for by the Agency, the Agency may request reimbursement from the Governing Board member. In the above circumstances, the Governing Board retains the discretion to approve requests that deviate from these procedures upon the request of the effected Governing Board member or the General Manager.
- K. Meeting compensation or travel-related expenses which do not fall under the guidelines of this policy must be approved by the Governing Board in a public meeting prior to incurrence or reimbursement by the Agency.



#### IV. PROCEDURE

- A. Authorized Conferences and Seminars. A Training Request form (see Exhibit B) must be completed and submitted to the Finance Department 15 working days prior to the start date of the conference or seminar. Governing Board members may attend training conferences listed on the Authorized Conferences and Seminars list without prior approval by the Governing Board. For all other conferences and seminars, the Training Request form must be approved by the Governing Board prior to attendance. Annually during the June Board meeting, the Governing Board may review and update the Authorized Training for Conferences and Seminars for Governing Board Members. Any updates to the authorized training list will become effective July 1<sup>st</sup> of each year.
- B. Travel Expenses. Once the Finance Department receives the Training Request form, all costs are estimated including registration, per diem, hotel, airfare, rental car, and shuttle or taxi expenses. Most travel expense is paid for by the Agency and handled by the Finance Department prior to travel. Travel expenses not paid for in advance by the Agency should be submitted for reimbursement as soon as possible but no later than two weeks after attendance by completing the Travel Expense form.
- C. Lodging. Whenever possible, Governing Board members shall make use of special lodging rates offered in connection with the event being attended.
- D. Vehicle Usage. Agency vehicles should be used when traveling on Agency business. Exceptions to this policy must be authorized by the General Manager in advance. When personal vehicles are used, mileage will be reimbursed at the standard Internal Revenue Service mileage rate in effect. Governing Board members are not reimbursed for mileage or given a mileage allowance for travel in a personal vehicle while performing official business or attending an approved function within the Big Bear area. Prior to using an Agency owned or rented vehicle, Governing Board members should confirm with the human resource officer that a copy of his or her California driver's license and current auto insurance certificate is on file with BBARWA.
- E. Air Travel. For air travel, the least expensive tickets (coach, economy or government rate) as recommended by staff, are to be used whenever possible. Travel by private or BBARWA vehicle will be authorized in lieu of air travel when the vehicle travel does not necessitate reimbursement greater than what would have been required if air travel had been used, taking into consideration mileage, meals and lodging expenses. The total travel cost shall be computed on direct route distances, but in no case shall the expense exceed the roundtrip cost by air. If a Governing Board member uses a higher-priced ticket than the one recommended by staff, the



Governing Board member will be required to pay the difference in cost between the two tickets. Airport parking is reimbursable at the daily rate available for the least expensive parking that is in a reasonably accessible, secure parking area.

- F. Meal Reimbursement, Per Diem. The following guidelines apply for payment of meal reimbursement or per diem. Please note there will be no reimbursement or per diem if the meal is included in the cost of the event.
- a. If attendance at the function requires travel time prior to 8:00 a.m., reimbursement or per diem will be paid for breakfast.
  - b. Lunch per diem or reimbursement will be paid in the event the function is held during normal lunch hours.
  - c. If attendance at the function requires travel time after 4:00 p.m., reimbursement or per diem will be paid for dinner. The General Manager may authorize meal reimbursement in excess of the allowed per diem in cases where the meal exceeded the per diem due to high-cost localities (i.e., San Diego, San Francisco, etc.) or special dietary requirements. Such approval, if warranted, will follow a review of expenses by the Finance Manager and the General Manager.
- G. Per Diem Rates. Per Diem is provided for breakfast, lunch, dinner, and approved mileage. All per diem rates will be adjusted annually on July 1<sup>st</sup>, based on the May Cost of Living Adjustment as determined by the Consumer Price Index, Urban Wage Earner of Riverside, San Bernardino, Ontario, California areas.



## **Attachment A: Authorized Training Conferences and Seminars for Governing Board Members**

1. BBARWA Regular, Special or Advisory Committee Meetings
2. Association of California Water Agencies Conferences and Seminars
3. California Association of Sanitation Agencies Conferences and Seminars
4. California Special Districts Association Conferences and Seminars
5. California Water Environment Association Conferences and Seminars (Non-Section Meetings)
6. California Water Environmental Association – Desert Mountain Section Conferences and Seminars
7. Southern California Edison Conferences and Seminars
8. Manager/Governing Board Workshop
9. Tri-State Training Conference
10. American Water Works Association

This list may be updated on an annual basis, based upon the Governing Board approved budget. Attendance at functions not specified above requires prior authorization from the Governing Board.





**EXHIBIT A**  
**REPORT OF MEETINGS ATTENDED**

Governing Board Member: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Month Covered: \_\_\_\_\_

**BBARWA Regular Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ **Compensation**  
\$ \_\_\_\_\_

**PURPOSE**

**BBARWA Special Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**BBARWA Special Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**BBARWA Special Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**PURPOSE**

**BBARWA Committee Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**BBARWA Committee Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**BBARWA Committee Meeting Attended:** \_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**PURPOSE**

**Other Compensated Meetings Attended:**

\_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL ENTITLED MONTHLY STIPEND (limited to 6 days per calendar month)** \$ \_\_\_\_\_

**Uncompensated Meetings Attended:**

**PURPOSE**

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**Board Member Signature:** \_\_\_\_\_ **Total Amount Paid** \$ \_\_\_\_\_



**EXHIBIT B**  
**TRAINING REQUEST FORM**

NAME:				DATE:										
POSITION:			STATUS:		Regular		Non-Regular							
COURSE TITLE:														
COURSE LOCATION:														
COURSE DATE(S):														
Type of Course:				Hours of Training:										
<input type="checkbox"/> Technical training (directly relates to my technical or professional abilities)														
<input type="checkbox"/> Developmental training (career management, personal growth, management development, etc.)														
<input type="checkbox"/> Other developmental experience (details, special projects, task forces, etc.)														
<input type="checkbox"/> Other														
How was this course selected? Please check all that apply.														
<input type="checkbox"/> Personal Training Plan														
<input type="checkbox"/> Asked to Attend / Supervisor Asked Me to Attend / Name of Supervisor:														
<input type="checkbox"/> Attendance is Mandatory														
<input type="checkbox"/> Other														
Comments:														
<b>Anticipated Costs:</b> Registration \$ _____ Lodging \$ _____ Transportation \$ _____														
<b>Per Diem:</b> Please circle anticipated meals														
MON		TUES		WED		THUR		FRI		SAT		SUN		
B	L	D	B	L	D	B	L	D	B	L	D	B	L	D
<b>Vehicle use:</b> Agency vehicles should be used when traveling for Agency-approved training. Exceptions to this policy must be authorized by the General Manager in advance.														
<input type="checkbox"/> Request to use personal vehicle Approved: General Manager _____ Date: _____														
Approved			Date			Supervisor's Signature								
Approved			Date			General Manager's Signature								
Approved			Date			Finance Manager's Signature								
Governing Board Approval Required: Yes No						Governing Board Signature:								
Governing Board Approved: Date														
<i>To allow the appropriate amount of time for processing, Training Request Form must be submitted to the Finance Manager at least 15 working days prior to the start date of the course. Failure to submit in a timely manner may result in employee paying for accommodations with reimbursement to employee after attendance.</i>														
<b>FINANCE</b>														
# _____ Breakfast @ \$14.67 = \$ _____				# _____ Lunch @ \$21.91 = \$ _____				# _____ Dinner @ \$36.53 = \$ _____						
<b>Event Costs:</b>						<b>Travel Costs:</b>						<b>Manager Approval</b>		
Tuition / Registration		\$ _____		Agency Vehicle / Parking		\$ _____				N/A				
Hotel nights		\$ _____		Personal Vehicle / Mileage		\$ _____								
Per Diem		\$ _____		Airfare		\$ _____				N/A				
Other		\$ _____		Shuttle / Taxi		\$ _____				N/A				
<b>Total Costs</b>						Rental Car		\$ _____						
\$ _____						Other		\$ _____						



Big Bear Area Regional Wastewater Agency  
Policies and Procedures

**EXHIBIT C**  
**TRAVEL EXPENSE FORM**

<b>Name:</b>	<b>Title:</b>	<b>Date of Claim:</b>
<b>Purpose of Trip</b>		<b>Authorized by Initials:</b> <b>Date:</b>

Method of Transportation	Depart From:			Arrival At:		
	Name of City	Date	Time	Name of City	Date	Time

**EXPENDITURES**

Indicate by a "C" when charges incurred using Agency Credit Card  
*Backup receipts must be attached*

Date:									Credit Card
Description	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	Total	"CC"
<b>Breakfast</b> (not paid by Per Diem)									
<b>Lunch</b> (not paid by Per Diem)									
<b>Dinner</b> (not paid by Per Diem)									
<b>Hotel (Lodging)</b>									
<b>Air/Travel Fare</b>									
<b>Auto Rental</b>									
<b>Fuel Expenses</b>									
<b>Taxi, Bus, Other</b>									
<b>Telephone</b>									
<b>Registration Fees</b>									
<b>Parking</b>									
<b>Miscellaneous (explain below)</b>									
<b>Personal Mileage Incurred</b>									
<b>Total</b>									

Personal mileage incurred will be reimbursed based on the Internal Revenue Service mileage rate effective at the time of travel.

**Explanations:** \_\_\_\_\_

<b>The undersigned, under penalty of perjury, states That the above claim is correct.</b>		<b>Total Expenditures:</b>	
<b>Claimant Signature</b>	<b>Date:</b>	<b>Prepaid Amount</b>	
<b>General Manager Approval</b>	<b>Date:</b>	<b>Total Charges Agency Credit Card</b>	