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August 28, 2023

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

ADOPTION OF RESOLUTION NO. TWSD 2023-009 REPLACING EMPLOYEE POLICIES REGARDING EMPLOYEE REIMBURSEMENTS, DISTRICT VEHICLE AND PERSONAL VEHICLE USE, AND TRAVEL PROCEDURES AND EXPENSES

Summary

On November 22, 2021, the Triunfo Water & Sanitation District Board of Directors approved an Employee Policy Manual as part of adoption of Resolution No. 2021-006. Staff has begun a review of individual policies within the Employee Policy Manual and prepared the first set of updates to recommend for adoption by the Board of Directors, with Resolution No. TWSD 2023-009.

Discussion

On September 1, 2020, the Triunfo Water & Sanitation District Board of Directors adopted Resolution No. TWSD 2020-007 *A Resolution of the Triunfo Water & Sanitation District Board of Directors Establishing and Authorizing Certain Benefits for District Employees*. That resolution was referenced in Core Management contracts and was the basis for hiring administrative and finance staff pending the development of a more detailed and comprehensive Employee Resolution.

On November 22, 2021, the Triunfo Water & Sanitation District Board of Directors superseded Resolution No. TWSD 2020-007 with the adoption of Resolution No. 2021-006 *A Resolution of the Board of Triunfo Water & Sanitation District Describing Compensation, Benefits, and Personnel Policy Manual for Management and Other Unrepresented Employees of the Triunfo Water & Sanitation District*.

Resolution No. 2021-006 establishes the framework and methodology for providing benefits to District staff, incorporates the additional Operations classifications necessary for the subsequent step in transition to a more autonomous District, and includes an

Employee Policy Manual. Within the Employee Policy Manual, Chapter 1.1.1 (Purpose) includes the sentence, “This manual may be revised and updated from time to time, as deemed necessary by the General Manager of the District subject to approval by the Triunfo Water & Sanitation District Board of Directors.”

Having acquired enhanced experience over the course of almost three years employing the District’s own staff and with a currently budgeted staff of 20, management has begun a review of the Employee Policy Manual and prepared the first set of policy updates for review by the Board of Directors, which includes:

- Chapter 2.3: Employee Reimbursements
- Chapter 2.4: District Vehicles and Personal Vehicle Use
- Appendix D: Travel Procedures and Expenses

Adoption of Resolution No. TWSD 2023-009 will replace Chapters 2.3 & 2.4 and Appendix D from the Employee Policy Manual approved on November 22, 2021, with updated versions that are more efficient, reflect the current needs of the District, and better protect both the District and its staff.

If you have any questions, please call me at (805) 658-4614, or email me at MichaelCastro@triunfowsd.com.

Fiscal Impact

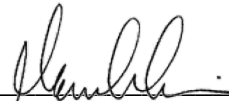
The fiscal impacts associated with these policy updates are anticipated to be minimal and appropriations for expenses related to these policies are included in the adopted Fiscal Year 2023-2024 Budget.

Recommendation:

It is recommended that the Board adopt Resolution No. TWSD 2023-009 *Replacing Employee Policies Regarding Employee Reimbursements, District Vehicle and Personal Vehicle Use, and Travel Procedures and Expenses.*

MICHAEL CASTRO, ADMINISTRATIVE PROGRAM MANAGER

REVIEWED FOR FISCAL IMPACT: 
Vickie Dragan, Director of Finance

REVIEWED AND APPROVED: 
Mark Norris, General Manager

Attachment: Proposed Resolution No. TWSD 2023-009, including Exhibits A-C

RESOLUTION NO. TWSD 2023-009

**A RESOLUTION OF THE TRIUNFO WATER & SANITATION DISTRICT
BOARD OF DIRECTORS REPLACING EMPLOYEE POLICIES REGARDING
EMPLOYEE REIMBURSEMENTS, DISTRICT VEHICLE AND PERSONAL VEHICLE USE,
AND TRAVEL PROCEDURES AND EXPENSES**

WHEREAS, on November 22, 2021, the Triunfo Water & Sanitation District (TWSD) Board of Directors duly adopted Resolution No. 2021-006 *A Resolution of the Board of Triunfo Water & Sanitation District Describing Compensation, Benefits, and Personnel Policy Manual for Management and Other Unrepresented Employees of the Triunfo Water & Sanitation District*; and

WHEREAS, Section 1.01 of Resolution No. 2021-006 includes the statement “Exhibit 2, Triunfo Water & Sanitation District Employee Policy Manual is hereby referenced and made a part of this Resolution;” and

WHEREAS, Chapter 1.1.1 of the Employee Policy Manual includes the statement, “This manual may be revised and updated from time to time, as deemed necessary by the General Manager of the District subject to approval by the Triunfo Water & Sanitation District Board of Directors;” and

WHEREAS, TWSD Management has reviewed Chapters 2.3 & 2.4 and Appendix D of the Employee Policy Manual and determined the need to update them for efficiency, to reflect the current needs of the District, and to better protect both the District and its staff;

NOW, THEREFORE, the Board hereby ordains as follows:

1. All recitals contained above are true and incorporated by reference herein.
2. Exhibit A to this Resolution shall supersede and replace Chapter 2.3 Employee Reimbursements from the Employee Policy Manual adopted by the TWSD Board of Directors as part of Resolution No. 2021-006 on November 22, 2021, in its entirety.
3. Exhibit B to this Resolution shall supersede and replace Chapter 2.4 District Vehicles and Personal Vehicle Use from the Employee Policy Manual adopted by the TWSD Board of Directors as part of Resolution No. 2021-006 on November 22, 2021, in its entirety.
4. Exhibit C to this Resolution shall supersede and replace Appendix D Travel Procedures and Expenses Policy from the Employee Policy Manual adopted by the TWSD Board of Directors as part of Resolution No. 2021-006 on November 22, 2021, in its entirety.
5. All resolutions, parts of resolutions, contracts, or District policies and procedures, in conflict with this Resolution are hereby repealed.
6. This Resolution shall become effective upon its adoption by the TWSD Board of Directors and shall remain in full force and effect unless amended, repealed, or otherwise modified, by the TWSD Board of Directors.

PASSED, APPROVED, AND ADOPTED this 28th day of August 2023, by the following vote:

AYES:

NOES:

ABSENT:

TRIUNFO WATER & SANITATION DISTRICT

Jane Nye, Chair

ATTESTED:

Fidela Garcia, Clerk of the Board

APPROVED AS TO FORM:

Dennis McNulty, General Counsel

Exhibit A

2.3 EMPLOYEE REIMBURSEMENTS

2.3.1 Mileage Allowance

In the event that an employee who does not receive an automobile allowance from the District must use a personal vehicle to perform District-related business, the District will reimburse the employee based on the Internal Revenue Service's (IRS) current standard mileage rate. The Finance Department will periodically adjust the rate to correspond with IRS guidelines. Employees must submit proof of the distance traveled (e.g., a Google map of the route) while requesting reimbursement.

2.3.2 Travel Expenses

With the General Manager's approval, employees may travel to District-related conferences and similar events. The District will pay for flights in coach class and if an employee wishes to upgrade their flight class without prior District approval, the employee will be responsible for the price difference. Receipts must be itemized and presented to the Finance Department for reimbursement of appropriate travel expenses, such as airline tickets and hotel accommodations.

Appendix D contains the Travel Procedures and Expenses Policy.

Exhibit B

2.4 DISTRICT VEHICLES AND PERSONAL VEHICLE USE

2.4.1 Purpose and Scope

The Triunfo Water & Sanitation District is committed to safe, accident-free, driving. Every District employee who uses a vehicle as part of their employment is responsible for its safe operation and condition. Drivers must practice defensive driving and take every possible precaution to avoid accidents.

This policy addresses employee responsibilities, restrictions, and safety directives.

2.4.2 Safety

Employees operating a District-owned vehicle or personal vehicle for District-related purposes shall observe all safety, traffic, and criminal, laws and provide evidence that they possess a valid California Driver's License.

Employees must use caution and drive motor vehicles in a safe manner at all times.

The use of seatbelts and shoulder harnesses is mandatory for all drivers and passengers while conducting District-related business and at no time are passengers permitted to ride on the outside of a vehicle or in the bed of a truck without both necessity and prior approval from the General Manager or Operations Manager. It is the vehicle driver's responsibility to ensure that all passengers are properly using a seatbelt while the vehicle is in motion.

Unless the vehicle is parked, drivers are not permitted to text, email, or make or answer phone calls without the use of a hands-free device, such as a vehicle's Bluetooth system. While driving without a hands-free device, drivers must pull over to the side of the road and safely park vehicles before making or answering phone calls.

The use of tobacco and vaping products is prohibited in all District-owned vehicles and in personal vehicles when driving with passengers while performing District-related business.

No driver shall consume alcohol or controlled substances while driving a District-owned vehicle, while driving a personal vehicle as part of District-related business, while in a District-owned vehicle, while on standby for a call-out event, or prior to the employee's shift.

No driver shall consume any substance, regardless of legality or prescription status, if by doing so the driver's ability to safely operate a vehicle would be impaired or diminished.

All accidents and citations occurring during the course of performing District-related business must be reported immediately to the driver's supervisor and all involved employees must fully cooperate with investigations of the incident, whether conducted by another employee of the District or an outside party contracted to perform the investigation on behalf of the District.

2.4.3 Employee Use of District-Owned Vehicles

District-owned vehicles shall generally be restricted to only District-related business. Only District employees shall operate District-owned vehicles except in the case of an emergency. District employees and Board Members are permitted to be passengers in District-owned vehicles at any time. With pre-approval from the General Manager or their designee, customers of the District, employees of cooperating public agencies, and vendors, may be passengers in District-owned vehicles.

Staff may use District-owned vehicles for District-related travel outside of the District's service area and may take the vehicle home on the way to or from the event.

De minimis use of a District-owned vehicle, such as stopping for a brief personal errand during the course of a commute, is permitted. Any use beyond de minimis will be subject to guidelines under the Internal Revenue Code and regulations.

Operators of District-owned vehicles are responsible for the safe operation and cleanliness of the vehicle. This includes a pre-start inspection at the beginning of each shift that the District-owned vehicle will be in use. Operators are required to notify their supervisor of any hazardous or unsafe vehicle conditions.

Employees are personally responsible for any fines or other citations for violations incurred during their use of District-owned vehicles. The privilege of using a District-owned vehicle may be revoked in the event of repeated violations.

2.4.4 Use of Personal Vehicles for District Purposes

Employees who do not receive an automobile allowance from the District and must use their personal vehicle for District-related purposes, such as driving to a conference or training site when a District-owned vehicle is either unavailable or impractical, will be reimbursed by the District at the standard mileage rate established by the IRS.

Employees shall provide evidence that they are covered under their own automobile insurance policy. This information must be on file with the Director of Finance.

Employees are personally responsible for any fines or other citations for violations incurred during use of their personal vehicles.

2.4.5 Transportation to Oak Park Office for Call Back and Call-Out Events

District-owned vehicles are not provided to employees for transportation between their homes or other off-duty locations and the District's Oak Park office. Employees are responsible for providing their own transportation between their homes or other off-duty locations and the District's Oak Park office, including during their rotating on-call days. Employees will be reimbursed by the District at the standard mileage rate established by the IRS for transportation between their homes or other off-duty locations and the District's Oak Park office to pick up a District-owned vehicle when required to respond to call back and call-out events.

Exhibit C

APPENDIX D: TRAVEL PROCEDURES AND EXPENSES POLICY

I. PURPOSE

It is in the District's best interest to invest in its employees and assist them as they receive updates regarding industry developments and trends and pursue additional educational and skillset building opportunities affecting the District's ability to provide high-quality performance, including internal and external customer service. As such, travel to attend hearings, meetings, conferences, training sessions, and other professional gatherings, is of value to the District and its ratepayers.

II. POLICY

This policy establishes business travel guidelines for employees that are fair, accountable, and transparent.

This policy applies to all District employees who travel for the District. Contractors and consultants are not covered under this policy and will be governed by contractual agreements between the District and their companies or agencies.

III. GENERAL GUIDELINES

- A. Employees are responsible for exercising good judgment when requesting, arranging, and traveling, for the District. Good judgment includes being fiscally responsible while spending District funds on travel and related activities. Travel should be thoroughly planned well in advance of departure. Personal business should not be mixed with official business if it will increase the cost to the District, requiring additional money or time, or if it will harm the District's interests in any way.
- B. This policy is not intended to address every issue, exception, or contingency, that may arise in the course of District travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the District's resources.
- C. Prior to travel or incurring expenses, funds shall be identified and accounted for within each department's budget.
- D. The District's preference is to reimburse employees for per diem and actual costs after travel has occurred and receipts have been submitted to the Finance Department, rather than provide funds to employees in advance of travel. However, the District will, on a case-by-case basis, provide travel advances upon request of the employee and approval by the Director of Finance or their designee.

- E. Itemized receipts are required for all business travel expenditures except meals and incidentals. Itemized receipts include a list of each cost incurred, item by item. For example, an itemized receipt for lodging may include the cost of the hotel room, parking, fees, and taxes, on separate lines. In addition to the itemized receipt, all travel expenses shall include the following information:
- The amount of the expenditure;
 - The date and place of the expenditure;
 - The business purpose of the expenditure; and
 - The business relationship to the person(s) entertained, as well as the name of the individual(s).
- F. Travel expenditures not substantiated with the above information will be deemed non-business travel. Non-business travel expenses paid directly by employees will not be eligible for reimbursement by the District. Non-business travel expenses paid with a District issued credit card or a travel advancement shall be repaid to the District by the employee within ten (10) business days of returning from such travel. Failure to repay non-business travel expenses will result in a suspension of future District business travel and/or withholding of such amounts from the employee's paycheck, as well as disciplinary action, up to and potentially including termination.

IV. PROCEDURES

- A. Upon completion of travel, a final accounting of all expenses, except meals and incidentals, shall be reviewed for approval by the employee's manager or supervisor and submitted to the Finance Department within ten (10) business days. Final accounting involves submission of the Travel Reimbursement Form and all receipts, with the information detailed above in Section III (E), along with all relevant District credit card statements, to the employee's manager or supervisor.
- B. The District will pay all approved expenses, including transportation, lodging, registration fees, meals, and any other related expenses, in compliance with this policy.
- C. There are three (3) methods of payment for travel expenses:
1. Direct vendor payment by check or credit card in advance of travel - Direct vendor payments are made by the District to an organization to pay for specific travel-related costs, such as registration fees, lodging, or airfare. This is the District's preferred method of payment;
 2. Payment made by the employee - Reimbursements for out-of-pocket expenditures are processed after travel has been completed; or
 3. Travel advance - Travel advances may be provided to employees prior to travel, upon request, subject to approval by the Director of Finance or their designee. Employees who fail to submit a final accounting within ten (10) business days of their return to work, in accordance with Section IV (A), shall forfeit the ability to receive future travel advances.

V. AUTHORIZED TRAVEL

Expenses incurred by employees while engaging and/or participating in the following activities and/or events constitute authorized and reimbursable expenses, provided all other requirements of this policy are met:

1. The training, seminar, meeting, or conference, is mandatory, reimbursable, or otherwise necessary to accomplish key District and employee goals and objectives, and is unavailable locally if overnight accommodations are required;
2. Communication with representative(s) of regional, state, or national, government and their respective agencies and entities, on District adopted or authorized policy positions;
3. Attendance at educational seminars designed to improve skill and information levels;
4. Attendance at an approved conference, convention, training session, seminar, or other meeting;
5. Participation in regional, state, or national, organizations, whose activities affect the District's interests;
6. Attendance at functions of local civic or community organizations, when there is a clear nexus between the event and the functions of the District or the employee's job.

VI. UNAUTHORIZED EXPENSES

The following personal expenditures shall not be reimbursed:

- The personal portion of any trip;
- The purchase of alcohol, tobacco, or related costs;
- Political or charitable contributions;
- Family expenses, including those of a partner or child, when accompanying the employee on official business;
- Child or pet care;
- Entertainment expenses, including theatre, shows, movies (either in-room or in theaters), sporting events, golf, spa treatments, etc.;
- Non-mileage personal automobile expenses, including repairs, gasoline, traffic citations, and other expenses;
- Loss of, or damage to, personal items; or
- Changes to travel arrangements for reasons that could have reasonably been foreseen.

VII. TRANSPORTATION

- A. Air, train, automobile, and other modes of transportation, shall be selected on the basis of the lowest reasonable cost to the District after all expense items are tabulated, including travel time salary costs.
1. Airfare: Employees shall book the most economical and reasonable mode and class of transportation that is consistent with scheduling needs. If an employee wishes to upgrade their flight class without prior District approval, the employee will be responsible for the price difference;
 2. Automobile: The District's preferred travel method is utilization of a District vehicle. If a District vehicle is not available or impractical, the employee may use a personal vehicle and receive reimbursement as described in Section VII (B), below;
 3. Automobile Rental: Following flight or train travel, automobile rental is permitted with approval from the Director of Finance or their designee. Rental rates that are reasonable and economical are eligible for reimbursement;
 4. Taxis/Ride-Shares/Shuttles: Reasonable actual costs for taxi, ride-share, and shuttle, fares will be reimbursed, including up to fifteen percent (15%) gratuity.
- B. If the employee is required to use a personal vehicle for travel, automobile mileage is reimbursable at the Internal Revenue Service's (IRS) standard mileage rate in effect at the time of travel. This rate is designed to compensate the driver for gasoline, insurance, maintenance, and other expenses, associated with operating the vehicle. This amount does not include bridge and road tolls and parking fees, which are also reimbursable. Prior to use of personal vehicles, employees must provide evidence that they are covered under their own automobile insurance policy. This information must be on file with the Director of Finance.
- C. Reimbursement for personal automobile usage will be calculated using the current IRS guideline, based upon the following:
1. If an employee drives round-trip from their residence to a work function, including an airport, the round-trip mileage that the employee would have driven from their residence to their worksite must be subtracted from the round-trip mileage. Any excess mileage is reimbursable to the employee.
 2. If an employee drives from a District facility to a work function, the round-trip mileage from the District facility to the event is reimbursable to the employee.
 3. Employees who receive a car allowance will not receive a mileage reimbursement.
 4. In instances where more than one (1) employee is traveling to the same event, the employee that receives a car allowance shall drive if both employees are departing and returning near the same time from the same location.
 5. The District highly encourages carpooling to save District resources and be eco-friendly.
 6. The Finance Department shall update the IRS standard mileage rate on January 1st of each year, or as changes are implemented by the IRS.

VIII. TRAVEL TIME AND HOURS WORKED

- A. The following principles shall be applied when determining hours worked for the purposes of calculating work hours and proper compensation, in compliance with the Fair Labor Standards Act.
1. Travel time to and from an airport or public transportation terminal is considered hours worked.
 2. Time spent for air travel or other means of public transportation is considered hours worked. Travel time shall include up to one and one half (1 ½) hours of wait time prior to departure of the flight and actual travel time, and shall conclude upon arrival at the hotel or, when returning at the end of the trip, upon return to the employee's home.
 3. Employees are required to take the most expedient and efficient means of travel reasonably available to meet the needs of the District. If an employee opts to utilize a slower mode of transportation, opposed to another faster means of travel, the employee shall record only the time that they would have traveled via the faster mode of transportation. For example, an employee who prefers to drive to San Francisco, which takes seven (7) hours, rather than flying, which takes one (1) hour plus the one and one-half (1 ½) hours of wait time prior to departure of the flight, would record the number of hours worked as only two and one-half (2 ½) hours plus the time spent driving to the first airport and from the last airport to the destination.
 4. If an employee is required to report to work at a location other than their normal work location, the travel time to and from the other location may be considered work time if travel to that location falls outside the definition of ordinary home-to-work travel. For example, an employee living in Calabasas being asked to start their workday at a conference in Oxnard would be compensated for the travel time to and from their Oak Park work place to the Oxnard location. However, an employee living in Ventura and reporting to the Oxnard location, instead of Oak Park, would not record travel time as hours worked, as it would be less than their normal home-to-work commute time.
 5. Managers and supervisors should be mindful of each employee's schedule and try to reduce or prevent overtime resulting from travel whenever possible. Additionally, managers and supervisors shall use discretion when accounting for multiple attendees at events and the impact related to the specific mode of transportation.
- B. Ordinary home-to-work travel shall not be considered hours worked, but if an employee is required by the District to conduct business on the way to work, the employee shall record all hours worked from the onset of that activity to the time the employee reaches the workplace to begin their shift. For example, if an employee is directed to pick up supplies on the way from their home to the office, the employee shall record hours from the time they make the stop to pick up supplies to the time they arrive at the worksite, through the completion of their shift, less normal meal periods.

IX. LODGING

- A. The District will reimburse employees or pay for lodging expenses when travel for District business reasonably requires an overnight stay. Lodging shall be booked at the most economical rate for a location that is reasonable and convenient in relation to the District's business needs. For lodging in connection to a conference or organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the traveler at the time of booking. If the group rate is not available, the traveler shall use comparable lodging.
- B. While determining appropriate lodging arrangements, employees shall take into consideration the start and end times of the event, as well as the duration of the event. Generally, employees shall not book overnight accommodations for the evening prior to the event if travel is within the local vicinity, which includes the Ventura County area or a round-trip distance of 100 miles or less. Additionally, employees generally shall not book overnight accommodations for the day the event ends. Any exception to this requires pre-approval from the Director of Finance or their designee.

X. MEAL AND INCIDENTAL EXPENSES

- A. Daily meal and incidental expenses shall be reimbursed in accordance with current U.S. General Services Administration (GSA) Per Diem Rates, which can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates>.
- B. The Finance Department shall account for meals that are included as part of scheduled events, such as a group lunch advertised in a conference brochure. Reductions from daily per diem will be made based on information submitted to the Finance Department prior to travel. After travel is complete, if the employee did not utilize the included meals and incurred additional meal expenses, the employee may request additional per diem if the employee can demonstrate a compelling reason why the included meals were not utilized.
- C. Meal expenses, including gratuity, in excess of GSA Per Diem Rates will not be reimbursed without demonstration of a compelling reason and approval from the Director of Finance.
- D. District funds cannot be used to purchase alcohol, tobacco, or other related costs.

XI. MISCELLANEOUS EXPENSES

- A. Employees shall receive reimbursement for actual telephone, internet, fax, parking, tolls, and other reasonable expenses, supported by receipts. If receipts are not available, a signed declaration of expenditure may be accepted by the Director of Finance, or their designee, at their discretion.
- B. Employees shall make every effort to utilize cost-effective means to park vehicles overnight. The District recommends overnight parking in the hotel where the employee is staying. Valet parking, while not encouraged, is allowed if it is the only means available for reasonable and safe parking.

XII. CASH ADVANCES

- A. Employees may request a cash advance to cover anticipated expenses while traveling or conducting business on behalf of the District. The request for an advance shall be submitted to the Director of Finance, or their designee, no more than thirty (30) days and no less than ten (10) days prior to the scheduled departure. Effort should be made to request the cash advance prior to the normal check run date occurring prior to scheduled departure.
- B. Upon request, the Director of Finance, or their designee, shall determine if a cash advance is necessary and appropriate. Employees who have a District issued credit card are not eligible for a cash advance unless credit cards are not accepted by anticipated vendors.
- C. Any unused advances other than per diem for meals and incidental expenses must be returned to the District within ten (10) business days of the employee's return, along with supporting receipts documenting advance expenditures other than meals and incidental expenses. If the employee fails to reconcile expenses upon their return, they forfeit the ability to receive future advances.

XIII. SPOUSES AND GUESTS

Spouses and guests may accompany employees on District travel to conferences, seminars, and meetings. Any additional costs associated with the participation of a spouse or guest is the employee's responsibility.

XIV. EXPENSES TO ACCOMMODATE DISABILITIES

This policy shall not be construed to limit the District's ability to reimburse employees when additional expenses are necessary to accommodate a disability.

XV. UNFORESEEN AND UNCONTROLLABLE NATURAL EVENTS

Unforeseen and uncontrollable natural events directly and exclusively result from natural causes and cannot be prevented with exercises of foresight or caution. Examples include earthquakes, floods, hurricanes, and tornados. During such an event, the District will work with employees to arrange lodging, meals, travel, and other reasonable accommodations. However, the District shall not pay overtime costs associated with such events.