

**RESOLUTION NO. 6258****A RESOLUTION ESTABLISHING A REIMBURSEMENT POLICY  
IN ACCORDANCE WITH GOVERNMENT CODE §§ 53232.2 AND  
53232.3.**

The City Council of the city of Santa Paula does resolve as follows:

SECTION 1. The City Council finds and declares as follows:

A. Elected and appointed City Officials are responsible for promoting and protecting public health, safety, and welfare. Among other things, these duties may require City Officials to:

1. Discuss the City's concerns with state and federal officials;
2. Participate in regional, state and national organizations that affect the City's interests;
3. Attend educational seminars designed to improve City Officials' skills and provide information; and
4. Promote public service and morale.
5. Attend meetings, ceremonial events and other activities sponsored by constituents, neighborhood groups, business organizations and similar groups.
6. Promote economic development.
7. Meet with constituents, business owners and others with an interest in the City.

B. It is in the public interest to reimburse City Officials' expenses incurred in connection with these activities consistent with the provisions of this Resolution.

SECTION 2. *Declaration of Policy.* This Resolution is adopted in accordance with Government Code §§ 53232.2 and 53232.3 so that the city of Santa Paula may reimburse appropriate expenses incurred by elected and appointed City officials while on authorized travel or otherwise engaged in the conduct of City business. Absent City Council approval, and only in extraordinary circumstances, the City will not reimburse City Officials an amount greater than allowed by this Resolution for expenses incurred during the course of conducting City business.

**SECTION 3. Definitions.** Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Resolution:

- A. "City Officials" means members of the City Council and members of boards, commissions, and committees appointed by the City Council;
- B. "Reimbursement" means all forms of payment for expenses incurred by City Officials in the course of their official duties whether paid directly by the City (including, without limitation, with a City-issued credit card) or advanced by City Officials with personal funds and later reimbursed from City funds .

**SECTION 4. City Business – Authorized Activities.**

- A. Expenses incurred while engaging in the following City business activities are generally authorized expenses if all requirements of this Resolution are fulfilled:
  - 1. Communicating with representatives of regional, state and national government on City adopted policy positions;
  - 2. Attending educational seminars designed to improve City Officials' skill and information levels. A list of recognized meetings is attached as Exhibit "A," and incorporated by reference;
  - 3. Participating in regional, state and national organizations whose activities affect the City's interests;
  - 4. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
  - 5. Attending City events;and
  - 6. Attending meetings with constituents, neighborhood groups, business organizations, and attending conferences for the City-approved purpose of attracting or retaining businesses to the City.
- B. Expenditures incurred in connection with activities or events not listed in Paragraph A above require prior approval by the City Council. In addition, the following require City Council preauthorization:

1. Out-of-state travel (including international); and
2. Expenses foreseeably exceeding \$ 1,000 per trip.

**SECTION 5. Unauthorized Expenses:** The City will not reimburse City Officials for expenses incurred outside the scope of the City Official's duties including, for example and not limitation, the following:

- A. The personal portion of any trip. For example, if a City Official elects to travel to an event in advance or stay longer on personal business, the City need only reimburse the City Official for roundtrip travel costs and costs incurred during the event's duration;
- B. Political or charitable contributions or events;
- C. Family expenses, including partner's expenses when accompanying a City Official on City-related business, as well as children- or pet-related expenses;
- D. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
- E. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- F. Personal losses incurred while on City business.
- G. Expenses for which City Officials receive reimbursement from another agency are not reimbursable.
- H. Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

**SECTION 6. Transportation.**

- A. *Generally.* City Officials must use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct and time-efficient route. Government and group rates must be used when available.
- B. *Airfare.* Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities ([www.cacities.org/travel](http://www.cacities.org/travel)), the California State Association of Counties ([www.csac.counties.org/default.asp?id=635](http://www.csac.counties.org/default.asp?id=635)) and the State of California are presumed to be the most economical and

reasonable for purposes of reimbursement under this policy.

**C. Automobile.**

1. Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (see [www.irs.gov](http://www.irs.gov)). For 2006, the rate is 44.5 cents per mile. These rates are 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, which are also reimbursable.

2. Only travel for City business outside of Ventura County is authorized for reimbursement.

3. A City Official may leave from his/her home for City business. However, the City will not reimburse mileage that exceeds mileage from City Hall to the destination point.

**D. Car Rental.** Rental rates that are equal or less than those available through the State of California's website ([www.catravelsmart.com/default.htm](http://www.catravelsmart.com/default.htm)) are considered the most economical and reasonable for purposes of reimbursement under this policy.

**E. Taxis/Shuttles.** Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

**F. Airport Parking.** Long-term parking must be used for travel exceeding 24-hours.

**G. Other.** Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed.

**SECTION 7. Lodging.**

**A.** Lodging expenses will be reimbursed only at the single occupancy rate for rooms.

**B.** Lodging expenses will be reimbursed for when travel on official City business reasonably requires an overnight stay.

**C. Conferences/Meetings.** If lodging is associated with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available

at the time of booking.

D. Other Lodging. Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at [www.catravelsmart.com/lodguideframes.htm](http://www.catravelsmart.com/lodguideframes.htm). Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable.

**SECTION 8. Meals and Incidental Expenses.**

A. For meals associated with City business within Ventura County:

Breakfast: \$ 12.80

Lunch: \$ 19.20

Dinner: \$ 32.00

B. For meals associated with City business outside of Ventura County where an overnight stay is required, a City Official may claim a per diem in accordance with the meals and incidental expenses (M&IE) rates established by IRS Publication 1542.

1. The time calculations for per diem starts when the City Official begins travel. For each 24-hour period thereafter, the City Official can claim the full per diem amount.
2. If there is a period of time at the end of the trip that is less than 12 hours, the City Official cannot claim more than one-half (1/2) the per diem rate.
3. Receipts are not required to claim per diem.
4. Any reimbursement claim for expenses that exceed the per diem rate may constitute additional income for tax purposes.

C. The City does not pay for alcohol/personal bar expenses.

**SECTION 9. Telephone/Fax/Cellular.** City Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business. For cellular calls when the City Official has a particular number of minutes included in the City Official's plan, the

City Official can identify the percentage of calls made on public business.

**SECTION 10.**      *Cash Advance Policy.*

A. From time to time, it may be necessary for a City Official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager fourteen (14) days before the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of the City;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

B. Any unused advance must be returned to the City's Finance Department within two business days of the City Official's return, along with an expense report and receipts documenting how the advance was used in compliance with this Resolution.

C. In the event the City Manager is uncertain as to whether a request complies with this policy, the City Manager must seek City Council approval.

**SECTION 11.**      *Credit Card Use Policy.*

A. City does not issue credit cards to individual City Officials but does have a credit card for selected City expenses. City Officials may use the City's credit card for such purposes as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City credit card and compliance with this policy must be submitted within five business days of use.

B. City credit cards may not be used for personal expenses, even if the City Official subsequently reimburses the City.

**SECTION 12.**      *Expense Report Content And Submission Deadline.*

A. All cash advance expenditures, credit card expenses and expense

reimbursement requests must be submitted on an expense report form provided by the City.

B. Expense reports must document that the expense in question met the requirements of this policy. For example, if a meeting is with a legislator, the City Official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.

C. City Officials must submit their expense reports within thirty (30) days after an expense is incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

D. Inability to provide such documentation in a timely fashion may result in the expense being borne by the City Official.

E. All expenses are subject to verification that they comply with this policy.

SECTION 13. Reports to City Council. At the City Council meeting following an activity, each City Official must briefly report on meetings attended at City expense. If multiple City Officials attended, a joint report may be made.

SECTION 14. Compliance With Laws. Some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the California Public Records Act.

SECTION 15. Violation Of This Policy. Use of public resources or falsifying expense reports in violation of this Resolution may result in any or all of the following:

- A. Loss of reimbursement privileges;
- B. A demand for restitution to the City;
- C. The City's reporting the expenses as income to the City Official to state and federal tax authorities;
- D. Civil penalties of up to \$1,000 per day and three times the value of the resources used; and
- E. Prosecution for misuse of public resources.

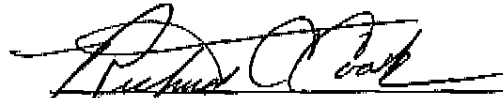
SECTION 16. If any part of this Resolution or its application is deemed

invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.


SECTION 17. The City Clerk is directed to certify the passage and adoption of this Resolution; cause it to be entered into the city of Santa Paula book of original Resolutions; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Resolution, cause it to be published or posted in accordance with California law.

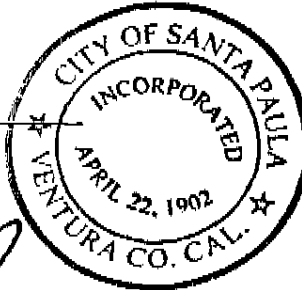
SECTION 18. This Resolution will become effective immediately upon its adoption.

PASSED AND ADOPTED this 6th day of February 2006.


  
Richard C. Cook, Mayor

ATTEST:

  
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Josie G. Herrera, City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Karl H. Berger, City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Wally Bobkiewicz, City Manager



**EXHIBIT A**

<b>Name of Conference</b>	<b>Length (In Days)</b>
Any conference or travel approved in advance by the City Council	To be determined
League of California Cities Annual Conference	4
Annual Meeting of Employee Relations Inst. League of California Cities	4
Annual League of California Cities Conference for Planning Commissioners	3
Annual Legislative Conference League of California Cities	1
National Conference of the International City/County Managers Association	4
Mayors and Councilmembers Institute League of California Cities	3
California Joint Powers Authority Annual Meeting	1
Annual Meeting of the California Chapter of the American Planning Association (APA)	4
National Conference of American Planning Association (APA)	5
Annual Conference of the Urban Land Institute (ULI)	4
League of California Cities Mayors and Councilmembers Department	3
California Redevelopment Association Conference	3
California JPIA Risk Management Conference	2
The Congress for New Urbanism Conference	4
National League of Cities Conference	To be determined
Southern California Association of Governments (SCAG) General Assembly	2
California Municipal Treasurers Association	1
League of California Cities City Clerks New Law and Election Seminar	3
International Institute of Municipal Clerks Annual Conference	5
City Clerks Association of Southern California Quarterly Meetings	1