

POLICY FOR REIMBURSEMENT FOR TRAVEL AND EXPENSES FOR ELECTED AND APPOINTED OFFICIALS

The City Council of the City of Tracy believes that it is important that elected officials and officials appointed by the City Council (including appointed City Council, the City Manager, City Attorney, Planning Commissioners, Parks Commissioners, Transportation Commissioners and other volunteer members of boards, commissions, and committees, collectively, "Officials") be governed by this Policy with respect to travel and expense reimbursements. Employees not covered by this policy shall be governed by the City of Tracy Travel Expense Administrative Policy.

The City Council believes that Officials should remain informed and trained in issues affecting the affairs of the City and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to the City and its citizens. The benefits include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participation in regional, state and national organizations whose activities affect the City;
- c. Attending educational seminars improve officials' skill and information levels; and
- d. Promoting public service and morale by recognizing such service through serving, promoting, or creating benefits for the community of City of Tracy.

At the same time, the City Council believes that travel expenses can be significant costs to the City and that Officials should be judicious when making travel arrangements and abide by all applicable laws and regulations regarding reimbursement of travel expenses. In order to promote the noted endeavors while protecting public resources and fostering public trust in the use of those resources, the City Council hereby sets forth the travel and expense reimbursement policies for the Officials of the City of Tracy.

All anticipated conferences, conventions and professional meetings shall be budgeted for in the current operating budget. As the trip is being paid for with public funds, it shall be the responsibility of the Official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible.

Elected Officials also must comply with the requirements of the Ralph P. Brown Act (Act), during attendance at any conferences, conventions and professional meetings, regardless of whether such events occur outside of California. Elected Officials shall make travel arrangements and participate at events in a manner that appropriately complies with the Act.

A. AUTHORIZED EXPENSES

Travel expenses shall be allowed or reimbursed for days actually spent on City business, for programmed days of a conference or meeting, and for time spent in travel to and from these events. Expenses shall be computed for the days of the conference or event attended and for travel days not to exceed one day before and after the event and shall be allowed only if time and/or travel schedules prohibit travel at reasonable hours on the actual beginning and ending days of a conference and/or meeting. Reasonable hours for purposes of this Policy are defined as the hours between 7 a.m. and 11 p.m.

City funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized City business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this Policy are met and are do not exceed the budget allocation of each Official, including the cost of individual and or Citywide memberships required to secure the travel and/or training:

1. Communicating with representatives of regional, state and national government on City-adopted policy positions;
2. Attending educational seminars designed to improve Officials' skill and information levels;
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. Implementing a Council-approved strategy for attracting to or retaining businesses in the City, for which the City Manager has requested Council attendance and will involve at least one staff member;
6. Meetings such as those listed above for which a meeting stipend is expressly authorized under this Policy;
7. Internet, wi-fi, and/or Cable TV expenses related to, and used in connection with, the official duties of City Councilmembers only; and
8. Events where attendance of the Mayor and/or City Council is requested to attend on behalf of the City.

Expenses for international and out-of-state travel, require prior City Council approval, with the exception of the following travel:

- City's annual Federal Lobby travel to Washington DC
- San Joaquin Council of Governments (SJCOC) annual "One Voice" travel to Washington DC
- National League of Cities annual Congressional Conference travel to Washington DC

Regardless of whether preapproved above or approved by the City Council per separate, travel shall not exceed the adopted budget for any Official unless additional budget authorization is granted by the City Council by formal action. Travel requests for international and out-of-state travel from the City Council should follow the City Council's Meeting Protocols for placement on the City Council agendas.

For the purposes of this Policy, if the City pays directly for the expenses such expenses are not eligible for reimbursement (e.g., conference fees).

B. UNAUTHORIZED EXPENSES

The City is subject to applicable State and federal laws regarding what constitutes reimbursable employee expenses. Certain expenses incurred by City officials may be deemed personal expenses and are not eligible for reimbursement by the City. Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred. Examples of personal expenses that the City will not reimburse include, but are not limited to:

1. The personal portion of any trip;
2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses, when accompanying official on agency-related business, as well as children or pet-related expenses;
4. 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;
5. Alcohol/personal bar expenses;
6. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance, or gasoline;

7. Personal losses incurred while on City business;
 8. Additional room related costs, such as early or late check out, laundry services, and/or upgraded parking expenses (i.e., valet when self-parking is available);
 9. Any extra travel fees, such as priority or preferred seating, extra luggage (more than 2 bags), pre-boarding/early bird boarding, extra leg room, or costs incurred for travel plan changes within 30 days of travel or after travel has been secured;
 10. Memberships to organizations not approved by the City Council; and
 11. Travel and related expenses that do not reflect a direct business benefit to the City and the community.
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C. COMPENSATION FOR ATTENDANCE AT MEETINGS

Compensation for meeting attendance shall be as follows:

1. City Council members' stipends/salaries shall be set and enacted as mandated by the California Government Code.
2. Stipends to the members of the Planning Commission, Parks Commission, Transportation Commission and other Commissions appointed by Council shall be established by resolution of the City Council for meetings of their respective bodies as defined by the R.P Brown Act.

No additional stipends/salaries are paid to attend travel.

D. TRANSPORTATION

When attending conferences or meetings that are of such distance that it is more economical to take commercial transportation, if an employee proposes to drive their car in those cases, commercial air fare will be paid and not automobile mileage. In addition, Officials are strongly encouraged to choose the lowest cost for ground transportation, taking into consideration reasonable travel time and other related cost factors such as parking. The City shall reimburse for only the lowest cost option, regardless of the actual costs incurred by the Official.

1. Airfare. Allowable costs for air travel shall be calculated by using the shortest and most direct route with the least number of enroute stops. All air travel shall be booked as far in advance as possible (no later than 30 days from travel, if applicable), so as to receive the lowest fares possible except where the lowest fare is for an overnight flight, which may be chosen by the individual but is not required. When the use of public air carrier transportation is used, travel for all Officials shall be in coach class or equivalent service that allows for at least one carryon bag, does not require the selection of middle seat; and may allow for aisle/window seat selection. The City will only reimburse up to the cost of the least expensive ticket available via commercial air travel. Private automobile use to and from the airport shall be reimbursed for all miles at the prevailing IRS established rate. Parking at the closest location to the airport is reimbursable.

2. Automobile. Automobile mileage is reimbursed at Internal Revenue Service ("IRS") rates in effect at the time of travel. 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. Bridge or road tolls may be reimbursed with proof of crossing (e.g. toll receipts, toll statements, travels or toll provider maps indicating passage to destination)

3. Ground Transportation: The most economical mode and class of ground transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route. Courtesy shuttle services, public transit, taxis, and/or rideshares should be used between airports and/or conference/meeting locations. Car rentals should only be used in special circumstances where the aforementioned services are not practical. Taxis and other local transportation may be used for travel to restaurants as associated with the business purpose for the travel. Receipts for ground transportation must be provided for reimbursements. A 15% gratuity with a minimum of \$3 is allowed.

E. LODGING

Lodging expenses will be reimbursed/paid for when travel on official City business reasonably requires an overnight stay. If such lodging is in connection 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. Travelers must request government rates, when available. If the group rate is not available, reimbursement at the IRS rate in effect at the time of travel shall apply (IRS Publication 463).

F. MEALS

The City has not adopted a local expense reimbursement policy identifying a "per diem" of reasonable rates for meals. Instead, meal expenses shall be reimbursed subject to the maximum per diem for the meal as set by the IRS rate in effect at the time of travel, based on the location of the event. (See Cal. Gov't Code §53232.2© and Publication 1542 at www.irs.gov.)

Meals provided by the conference or included in the registration fee will not be eligible for per diem, regardless of whether the Official utilizes such meals. A continental breakfast is not considered a meal for purposes of calculating meal allowance. Registration materials indicating which meals are provided as part of the registration must be submitted prior to receipt of per diem.

G. MISCELLANEOUS EXPENSES

Officials will be reimbursed for actual telephone, fax, and parking expenses incurred on City business. Telephone bills should identify which calls were made on City business.

H. TRAVEL AUTHORIZATION REQUEST

All Officials shall submit a Travel Authorization Request (through department designee) listing the expected expenses of the trip, including membership costs required as part of attendance. The travel request shall be submitted two weeks prior to the travel. The per diem check will be issued the week prior to travel and will include any prepaid expenses. Each Official must sign this request and is liable to the City for all monies advanced until an expense report is filed. Each Official must stay within their allotted travel budget for all costs paid by the City, including related costs (e.g., memberships and registration).

I. CREDIT CARD USE POLICY

The City does not issue credit cards to individual office holders but does have an agency credit card for selected City expenses. City Officials may use the City's credit card for such purposes as conference registration, airline tickets, and hotel reservations by following the same procedures allowed under the City's credit card policy.

Receipts documenting expenses incurred on the City credit card and compliance with this Policy must be submitted within five (5) working days of use. Except as allowed under Section 8(3), City credit cards may not be used for personal expenses, even if the Official subsequently reimburses the City.

J. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINES

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City. This form shall include the following advisory:

"All expenses reported on this form must comply with the City's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the city's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability."

Expense reports must document that the expense in question met the requirements of this Policy. Officials must submit their expense reports within

thirty (30) calendar days of an expense being incurred, accompanied by receipts documenting each expense.

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

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

In the event of ambiguity on any terms of the Policy, the City Manager shall consult with and obtain from the City Attorney a determination.

In the event of further ambiguity or a disagreement about whether an expense is eligible for reimbursement then the City Council should make the final determination.

K. REPORTS TO CITY COUNCIL, BOARD OR COMMISSION

At the next regular City Council (or Board or Commission) meeting, each Elected Official shall make a brief report (written or oral) on meetings attended at City expense. If multiple Officials attended, a joint report may be made.

L. COMPLIANCE WITH LAWS; VIOLATION

City Officials should keep in mind that 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 Public Records Act and other applicable laws. Use of public resources or falsifying expense reports in violation of this Policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Failure of an appointed Board or Commission member, after forty-five (45) days written notice, to complete the training required by AB1234 and this Policy shall result in the automatic removal of the member from their Board or Commission position.

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