

**CITY OF STOCKTON, CALIFORNIA  
CITY COUNCIL POLICY**

<b>Subject:</b>  COUNCIL EXPENSE AND TRAVEL REIMBURSEMENT POLICY	<b>Policy No.</b> 100-1	<b>Page No.</b> 1 of 11
	<b>Effective Date:</b> 4/18/06	<b>Revised From:</b> 7/17/01

**PURPOSE**

The City hereby expressly acknowledges its responsibility to administer wisely limited public resources and to expend them only when there will be a substantial benefit to the City and its residents. Accordingly, it is the intent of this policy to establish rules and guidelines governing reimbursement to City Councilmembers for actual and necessary expenses incurred in the performance of official duties.

**SCOPE**

This policy shall apply when City Councilmembers act in their official capacity as members of the Council and as members of the Redevelopment Agency. This policy conforms to the requirements of California Government Code sections 53232 through 53232.4 to the extent that such requirements are applicable to charter cities under the California Constitution.

**DEFINITIONS**

For purposes of this policy, the following definitions shall apply:

- A. "City" means the City of Stockton and shall include the Redevelopment Agency of the City of Stockton.
- B. "Councilmember" means each member of the City Council and the Mayor, and shall also include each Councilmember who acts a member of the Redevelopment Agency of the City of Stockton, or a member of any other entity or body duly created by the Stockton City Council.
- C. A "local" conference, meeting, educational seminar, event, or activity means one that occurs within a 50 mile radius of the City of Stockton.
- D. A "non-local" conference, meeting, educational seminar, event or activity means one that occurs beyond a 50 mile radius of the City of Stockton.

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POLICY

IV. POLICY

A. Authorized Expenses

Expenses incurred by Councilmembers in connection with the following activities or events constitute authorized and reimbursable expenses, provided that the other requirements of this policy are also met:

1. Communicating or meeting with representatives of regional, state and national government and their various agencies and entities on policy positions adopted by the City;
2. Attending educational seminars designed to improve Councilmembers' skill and information levels;
3. Participating in regional, state and national organizations whose activities affect the City's interests (e.g., League of California Cities, National League of Cities, California Redevelopment Association);
4. Attending City-sponsored events;
5. Meeting to implement a strategy approved by the City for attracting businesses to the City or retaining businesses already established in the City.

B. Unauthorized Expenses

The following expenditures incurred by Councilmembers in the course and scope of their official duties shall not be reimbursed:

1. The personal portion of any trip;
2. Costs associated with any political or charitable event;
3. Expenses incurred by or on behalf of a family member or partner who accompanies the Councilmember on official business;

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4. Expenses associated with entertainment, including but not limited to, theater events, movies (including in-room viewing), sporting events, and personal recreation, such as golfing, spa treatments, and fitness workouts at a gym; and
5. Non-mileage personal automobile expenses, including but not limited to repairs, insurance, gasoline, traffic citations.

C. Expenses Requiring Prior Council Approval

Expenses incurred for international travel or travel outside California require the prior approval of the Council before they are incurred.

D. Transportation

1. General Rules

- a. To conserve City resources and keep expenses within community standards for public officials, expenditures shall adhere to the guidelines set forth in this policy. If expenses are incurred that exceed these guidelines, the cost reimbursed by the City shall be limited to the expenses that fall within the guidelines.
- b. All travel on City business shall be planned to provide for the most economical mode and class of transportation reasonably available, using the most direct and time-efficient route. Reasonable travel modes include airline, private car, or City-owned car.
- c. Councilmembers shall travel using government and group rates when available.
- d. Except as provided below, travel expenses shall be reimbursed only for days actually spent on City business. Accordingly, allowable expenses generally are those incurred for the days on which conference/event activities are scheduled.
- e. Expenses may be reimbursed for travel days not to exceed one day before and one day after the event only if circumstances prevent travel at reasonable hours on the actual beginning and ending days of a conference. Reasonable hours are defined as between 7 a.m.

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and 11 p.m. Reimbursement for more than one day of travel to or from the destination must be approved in advance by the City Council.

2. Air Travel

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 (<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.

3. Automobile

a. Use of Private Vehicle

If a personal vehicle is used for travel, reimbursement shall be based on the lesser of the following two costs:

- (1) the least cost round-trip air travel available; or
- (2) the Internal Revenue Service rate currently in effect (see [www.irs.gov](http://www.irs.gov)).

The IRS 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 separately reimbursable. The IRS rates will not be paid for rental vehicles. (For allowable reimbursement for rental vehicles, see below.)

b. Use of City-Owned Vehicle

Use of a City-owned vehicle is considered more economical than a private car. However, such use is dependent on the availability of a pool car, and is not mandatory even when a pool car is available.

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There shall be no allowance or reimbursement for transportation when a City-owned vehicle is used. However, any out-of-pocket expenses, including gas or maintenance costs, incurred in operating the vehicle shall be reimbursed upon presentation of receipts.

c. Car Rental

(1) Charges for rental vehicles may be reimbursed under this policy if more than one Councilmember is attending a non-local conference, and it is determined that sharing a rental vehicle is more economical than other forms of transportation. In making this determination, the cost of the rental vehicle, parking and gasoline shall be compared to the costs that would be reasonably incurred if other modes of transportation were used.

(2) Rental rates that are equal or less than those available through the State of California's travel website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy. Reimbursement shall also be provided for the actual cost of physical damage insurance coverage purchased from the rental agency, and for fuel expenses that are documented by receipts.

E. LODGING

1. Local Conferences/Meetings/Educational Seminars/Activities

Councilmembers will not be reimbursed for hotel or other lodging expenses incurred for local events or activities unless: (1) the event begins before 8 a.m. or ends after 10 p.m.; or (2) the Council deems such expenses necessary and approves them in advance at a publicly noticed meeting. If reimbursement is warranted, such reimbursement shall be only for the reasonable rate of the accommodations as set forth for non-local activities below.

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2. Non-Local Conferences/Meetings/Educational Seminars/Activities

- a. Use of Sponsor Group Rate When Available. All Councilmembers traveling to a non-local event shall be reimbursed for the reasonable cost of single occupancy accommodations. The lodging expenses must not exceed the maximum group rate published by the conference or activity sponsor, if lodging at the group rate is available at the time of booking.
- b. Allowable Alternatives When Sponsor Group Rate Not Available.
  - (1) Comparable Lodging at Government and Group Rate. If lodging at the published group rate offered by the sponsor is not available at the time of booking, the Councilmember shall be entitled to reimbursement for the costs of lodging comparable in location and quality. Comparable lodging must be reserved at the government or group rate offered by the provider of lodging. To obtain a list of hotels offering government rates in various areas, refer to the State of California's travel website <http://www.catravelmart.com/lodguideframes.htm>).
  - (2) Internal Revenue Service Rates. If government or group rates are not available from the provider at a given time or in a given area, lodging rates that do not exceed the IRS per diem rate for a given area are presumed reasonable and hence, reimbursable.

3. Other Non-Local Activities

When lodging is necessary for an authorized activity or event not related to a conference or other organized educational activity see (Part IV), lodging shall be booked at the government or group rate offered by the provider of lodging. If the government or group rate is not available at the time of booking, reimbursement shall be provided at the per diem rate established by the IRS for the community in which the activity takes place.

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**F. MEALS**

1. Councilmembers shall be entitled to reimbursement for meals, including tips, as follows:

Breakfast	\$10
Lunch	\$15
Dinner	\$25

The City will not pay for or reimburse expenses for alcoholic beverages.

2. When Councilmembers are attending a conference, meeting, educational activity, or other organized event and meals are provided as part of the activity, Councilmembers shall not be reimbursed for any separate meal unless: (1) a Councilmember must purchase a different meal because of special dietary needs; or (2) a Councilmember must miss the hosted meal to attend to necessary City business.
3. Councilmembers who host a meal in conjunction with an authorized activity shall be reimbursed for the actual costs of the meal and associated gratuities in accordance with the IRS schedule for the community in which the meal is eaten.

**G. TELEPHONE/FAX/CELLULAR/INTERNET**

1. When away from City Hall, Councilmembers shall be entitled to reimbursement for actual telephone and fax expenses incurred in the performance of their duties as Councilmembers. Telephone records should identify which calls were made on City business. When a Councilmember has a particular number of minutes included in his or her cellular phone plan, the Councilmember may identify, for reimbursement, the percentage of calls made on City business.
2. Councilmembers shall be reimbursed, in an amount not to exceed \$15 per day, for internet access connection and usage fees incurred on City business while away from City Hall. However, no reimbursement will be allowed unless such internet access is necessary to carry out City business.

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H. Miscellaneous Costs

Other miscellaneous charges may be reimburseable if reasonably related and necessary to the authorized activity which the Councilmember is attending, as follows:

1. long term airport parking, if the travel period will exceed 24 hours;
2. expenses for handling luggage, including baggage handling fees of up to \$1.00 per bag, and gratuities of up to 15 percent;
3. taxi or shuttle fares, 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 to meet an essential travel need;
4. reasonable fees for parking.

I. CASH ADVANCE REQUIREMENTS

From time to time, it may be necessary for a Councilmember to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. A request for an advance must be submitted in writing to the City Manager ten business days prior the date the advance is needed, and must contain the following information:

1. The purpose of the expenditures;
2. The benefits to be derived by the residents of Stockton;
3. The anticipated amount of the expenditures, such as hotel rates, transportation expenses, and meal costs;
4. The dates of the expenditures.

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Any unused advance must be returned to the City within two business days of the Councilmember's return from the activity. At that same time, the Councilmember must also provide an expense report and receipts documenting that the advance was used in compliance with this expense policy. If the City Manager is uncertain whether a request complies with this policy, he or she must seek resolution from the City Council.

**J. EXPENSE REPORTS**

1. Expense Report Advisory. Expense reimbursement requests and requests for cash advances must be submitted on a form to be provided by the City Manager. 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.*

2. Content of Expense Reports; Receipts. Expense reports must document that the expenses for which reimbursement is sought were incurred on behalf of the City in the performance of the Councilmember's official duties and that they meet the requirements established in this policy. For example, if the Councilmember met with a legislator, the Councilmember should explain what issues were discussed and how those issues relate to the City's adopted legislative positions and priorities, and verify whether any meals were purchased and for whom.

In addition, each report must be accompanied by all receipts documenting each expense. For example, restaurant receipts must be submitted, in addition to any credit card receipts documenting meal expenses.

3. Deadline for Submitting Expense Reports. Councilmembers must submit their expense reports within 30 days of an expense being incurred. If a Councilmember does not provide the expense report and accompanying receipts and documentation within the specified time, the Councilmember may be personally responsible for the expense.

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**K. AUDITS OF EXPENSE REPORTS**

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

**L. REPORTS TO THE CITY COUNCIL**

Councilmembers shall provide a brief report on meetings and conferences they have attended at City expense. The report, which may be oral or written, must be presented at the next regular meeting of the Council following the event. The report may be presented as part of Council Comments or specifically placed on the agenda, as appropriate. If multiple Councilmembers attended the same event, they may make a joint report. Councilmembers should confer with the City Attorney regarding legal issues that may arise under the Brown Act when they prepare and present joint reports.

**M. COMPLIANCE WITH LAWS**

Councilmembers should be aware that some expenditures may be subject to reporting under the Political Reform Act and other laws. In addition, all agency expenditures are public records subject to disclosure under the Public Records Act.

**N. POLICY VIOLATIONS**

Violations of this policy, including falsifying expense reports, may result in any or all of the following: (1) loss of reimbursement privileges; (2) a demand for restitution to the City; (3) reporting the expenses to state and federal tax authorities as income to the Councilmember; (4) civil penalties of up to \$1000 per day and three times the value of the resources used; and (5) criminal prosecution for misuse of public resources.

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Adopted by Resolution No. 85-0544 dated 8/19/85  
Amended by Resolution Nos. 86-0336, 86-0337, 86-0338, and 86-0339 dated 6/9/86  
Amended by Resolution No. 86-0591 dated 9/8/86  
Amended by Resolution Nos. 87-0171 and 87-0172 dated 3/23/87  
Amended by Resolution No. 87-0237 dated 4/27/87  
Amended by Resolution No. 87-0604 dated 11/2/87  
Amended by Resolution No. 89-0501 dated 7/31/89  
Amended by Resolution No. 89-0598 dated 9/11/89  
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Amended by Resolution No. 91-0027 dated 1/7/91  
Amended by Resolution No. 91-0294 dated 4/22/91  
Amended by Resolution No. 93-0085 dated 3/1/93  
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Amended by Resolution No. 00-0243 dated 5/16/00  
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Amended by Resolution No. 01-0392 dated 7/17/01  
Amended by Resolution No. 06-0205 dated 4/18/06