

RESOLUTION NO. 17-8432

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
REPEALING RESOLUTION NO. 11-7849 AND AMENDING THE
OFFICIAL TRAVEL POLICY FOR THE MAYOR AND CITY
COUNCIL MEMBERS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Council of the City of Santa Clara takes its stewardship of the City's;

WHEREAS, public resources should only be used when there is a substantial benefit to the City of Santa Clara;

WHEREAS, the City of Santa Clara has had for many years policies governing proper incurring and reimbursement of expenses by its public officials;

WHEREAS, the Official Travel Policy by Mayor and City Council Members attached hereto as Exhibit A, provides guidance and criteria for elected and appointed officials on the use and expenditure of City of Santa Clara resources, as well as the standards against which those expenditures will be measured; and

WHEREAS, the Official Travel Policy by Mayor and City Council Members supplements the definition of actual and necessary expenses for purposes of state laws relating to permissible uses of public resources, and the definition of necessary and reasonable expenses for purposes of federal and state income tax laws.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. Repealing of Prior Resolution: Resolution No. 11-7849 is hereby repealed in its entirety.
2. That the Official Travel Policy by Mayor and City Council Members attached hereto as Exhibit A is hereby adopted by the City Council of the City of Santa Clara.
3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the

remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF MAY 2017, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Davis, Kolstad, Mahan, O'Neill and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Caserta
ABSTAINED:	COUNCILORS:	None

ATTEST: *Simat Madhi*
For ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Official Travel Policy by Mayor and City Council Members



OFFICIAL TRAVEL BY MAYOR AND CITY COUNCIL MEMBERS

PURPOSE

Consistent with the City's Code of Ethics and Values, the City of Santa Clara is fiscally responsible and endorses the proper use of City assets to help ensure the City's fiscal stability. In order to ensure an open and transparent government, the City Council will regulate and prescribe guidelines for official travel by elected and appointed members of the City Council.

POLICY

In order to control and properly account for expenditures made by the Mayor and City Council members in the course of their official duties, only authorized expenses may be reimbursed in accordance with set amounts established by the City Auditor on an annual basis and within the criteria outlined within this policy.

Any questions regarding the appropriateness of a particular type of expense should be resolved by the City Council before the expense is incurred. Examples of non-reimbursable expenses include personal expenses, charitable/political contributions, entertainment expenses, and expenses for family members.

In order to conserve City resources and keep expenses within community standards for public officials, expenditure amounts should adhere to the guidelines set forth within. Expenses that exceed these guidelines will be reimbursed only to the maximum extent of the guidelines.

All cash expenditures, credit card expenses and expense reimbursement requests must be submitted to the City Clerk on an expense report form provided by the City, accompanied by receipts documenting each expense. Expense and mileage reports must document that the expense in question meets the requirements of this policy. Inability to provide such documentation in a timely fashion may result in the expense being borne by the official. All expenses are subject to review and verification by the City Manager and City Auditor for compliance with this policy and eligibility for reimbursement.



OFFICIAL TRAVEL BY MAYOR AND CITY COUNCIL MEMBERS (cont.)

TRAVEL GUIDELINES

Reports by Elected or Appointed Body

A City representative(s) must file a written or oral report at the meeting of their elected or appointed body which immediately follows any travel attended at City expense.

The report shall include, but is not limited to:

- a. A listing of any workshops, presentations, educational seminars, speeches, or other sessions attended with summary and/or descriptions of information gathered
- b. A listing of meeting(s) held during travel with legislators, other governmental officials, or groups with subjects addressed during the meeting(s)
- c. A listing of any speeches, presentations, or other speaking roles during travel

Course Materials

Course materials received will be turned into the Mayor and Council Offices – Council Library for open accessibility.

Rewards and Promotional Benefits

Rewards granted under frequent travel programs through airlines, hotels, or any type of travel vendor, if accrued through official travel and at the City's expense, shall be used only for official travel and/or turned over to the City for future official travel.

Promotional benefits or materials received during official travel, if obtained under the same conditions as those offered to the general public and at no expense to the City, may be retained for personal use.



OFFICIAL TRAVEL BY MAYOR AND CITY COUNCIL MEMBERS (cont.)

CRITERIA

Official City Representative Criteria

When travelling to a conference, convention, workshop, or similar event, one or more members of the City Council shall be specifically designated to act as the official representative(s) of the City of Santa Clara with the following criteria:

- a. Representative(s) must have an active role, active committee assignment, or active council assignment in relation to official travel attendance.
- b. If multiple members of the City Council meet the criteria, the representative(s) will then be designated based on seniority.

Public Purpose Criteria

Travel by elected and appointed members of City Council is an allowable activity and expense when it is performed for a valid public purpose. Travel is limited to events from which the City of Santa Clara will benefit through the attendance of a City representative(s).

- a. All official travel by elected and appointed members of the City Council must meet the public purpose criteria.
- b. A City representative(s) must file a written or oral report at the meeting of their elected or appointed body which immediately follows any travel attended at City expense.

Elected and appointed members of the City Council, outside the Official City Representative Criteria, may attend conferences or any other official travel at their own expense.

SUMMARY OF CONFERENCES

Official Travel – Local (Drivable Distance)

- a. Local travel or single-day events that do not require an overnight stay are open to all members of the City Council.
- b. Local travel or single-day events that require an overnight stay must meet the criteria for official City Council travel.



OFFICIAL TRAVEL BY MAYOR AND CITY COUNCIL MEMBERS (cont.)

Official Travel – In-state

- a. In-state travel is limited to a maximum of two members of the City Council per official travel event.

Exception: League of California Cities Annual Conferences is open to all members of the City Council.

Exception: League of California Cities New Members Academy is open to all newly elected or appointed members of the City Council.

- b. In-state travel requires members of the City Council to meet the criteria for official City Council travel.

Exception: League of California Cities New Members Academy is open to all newly elected or appointed members of the City Council.

Official Travel – Out-of-State

- a. Out-of-state travel is approved in advance annually with the Mayor and City Council Offices' Operating Budget.
- b. Out-of-state travel is limited to a maximum of two members of the City Council per conference.
- c. Out-of-state travel requires City Council to meet the criteria for official City Council travel.

Official Travel – International

- a. International travel is limited to a maximum of three members of the City Council per trip.
- b. International travel will be initiated by invitation or commemoration of anniversaries with the City of Santa Clara's sister cities.
- c. International travel requires City Council to meet the criteria for official City Council travel.



OFFICIAL TRAVEL BY MAYOR AND CITY COUNCIL MEMBERS (cont.)

- d. International travel is approved in advance annually with the Mayor and City Council Offices' Operating Budget and must be submitted in advance to the City Council for approval with sufficient time to ensure that, if approved by Council, arrangements can be made before the first day of travel.

Official Travel – Other

For any official travel that has not been pre-approved in the Mayor and City Council Offices' Operating Budget, requests for travel approval must be submitted to the City Council with sufficient time to ensure that, if approved by Council, arrangements can be made before the first day of travel.

- a. Requests for travel approval must meet all of the criteria for official City Council travel.
- b. Requests for travel approval require 5 votes from the City Council.
- c. When reviewing and considering approval of requested travel by the members of the City Council, the City Council shall ensure compliance with the Brown Act (California Open Meeting Requirements for Local Legislative Bodies).

PROCEDURE

Prior to incurring expenses, review policy to ensure proposed expenses are allowed the criteria established within this policy.

Within fourteen (14) calendar days of an expense being incurred, submit to the City Auditor an expense report form, accompanied by receipts, documenting the amount and purpose of each expense and how it meets the requirements of this policy. Course materials must be turned into the Mayor and Council Offices – Council Library for open accessibility.

A City representative(s) must file a written or oral report at the meeting of their elected or appointed body which immediately follows any travel attended at City expense, with the criteria outlined within this policy.