



## Agenda Report

19-550

Agenda Date: 7/15/2019

### REPORT TO GOVERNANCE AND ETHICS COMMITTEE

#### **SUBJECT**

Review Council Policy 043 on Official Travel by Elected Officials for Possible Recommendation to City Council

#### **BACKGROUND**

As a continuation of the Council Policy Manual workplan, staff has reviewed Council Policy 043 Official Travel by Mayor and City Council Members (Attachment 1). As part of this review, staff determined that the policy should be applicable to all elected officials, including the elected Chief of Police and City Clerk. Currently, the elected Chief of Police and City Clerk follow the employee travel policy contained in City Manager Directive (CMD) 028 "Conference and Meeting Attendance."

#### **DISCUSSION**

Based on the review of the Council Policy, staff identified that the criteria for official travel could be updated and further clarified.

#### **Official City Representative Criteria:**

The current policy language states that the City representative must have an active role, committee assignment, or council assignment in relation to official travel attendance. In the amended policy (Attachment 3), the Official City Representative Criteria has been updated to state that official travel must be related to an elected official's roles or duties such as work performed on a particular issue or substantive area in an official capacity, committee assignment, liaison assignment, task force assignment, or council assignment.

#### **Public Purpose Criteria:**

The current policy language states that travel is an allowable activity and expense when it is performed for a valid purpose. In the amended policy, the Public Purpose Criteria has been expanded and notes examples of official travel with a valid public purpose, including: attending educational seminars designed to improve the elected official's skill and information level; participating in regional, state, and national organizations whose activities affect the City's interests; communicating with representatives of regional, state, and national government and their various agencies; and travel is consistent with current adopted budget and/or legislative priorities.

As the current policy applies only to the Mayor and Councilmembers, the amended policy has been updated to apply to all elected officials (e.g., Mayor, City Councilmembers, City Clerk, and Chief of Police). As the City Clerk and Chief of Police are elected positions, the current policy has been amended to be applicable to all elected officials in the City. To signify that the policy applies to all elected officials, staff recommends changing the title of Council Policy 043 from "Official Travel by Mayor and City Council Members" to "Official Travel by Elected Officials." As the current policy was

adopted by resolution, staff recommends repealing Resolution No. 17-8432 (Attachment 4) to effectuate the title change and to adopt the amended policy.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

There is no fiscal impact to the City other than staff time.

### **COORDINATION**

This report was coordinated with the City Attorney's Office and the Finance Department.

### **PUBLIC CONTACT**

Public contact was made by posting the Governance and Ethics Committee agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

That the Governance and Ethics Committee recommend that the City Council adopt a Resolution repealing Resolution No. 17-8432 and adopting the amended Council Policy on Official Travel by Elected Officials.

Reviewed by: Genevieve Yip, Staff Analyst I

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Council Policy 043 Official Travel by Mayor and City Council Members
2. Amended Council Policy 043 Official Travel by Elected Officials (Redline)
3. Amended Council Policy 043 Official Travel by Elected Officials (Clean)
4. Resolution No. 17-8432
5. Resolution to Repeal Resolution No. 17-8432 and Adopt Amended Council Policy on Official Travel by Elected Officials

City of Santa Clara  
Policy and Procedure Manual



## 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.





## OFFICIAL TRAVEL BY ELECTED OFFICIALS ~~MAYOR AND CITY COUNCIL~~ MEMBERS

**PURPOSE** Consistent with the City of Santa Clara (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 all elected ~~officials and appointed members of the City Council~~.

Reimbursement for official travel funded by non-City entities shall be in accordance with the guidelines issued by such other non-City entity. To the extent the official's expenses are not reimbursed by the non-City entity, the official may request reimbursement in accordance with the requirements of this policy (e.g., official is chosen to serve as the City representative on a County-wide committee and the County agency sends the official to a conference, and reimburses the official for conference attendance and hotel, but not for meals and mileage; the official may seek reimbursement for meals and mileage in accordance with the terms of this policy.) This policy does not address an official's reporting requirements relative to payments by a non-City entity for official travel; elected officials must comply with FPPC reporting requirements relating to payments for travel.

**POLICY** In order to control and properly account for expenditures made by elected officials ~~the Mayor and City Council members~~ in the course of their official duties, only authorized expenses may be reimbursed in accordance with the Travel-Meal Reimbursement & IRS Mileage Rates set amounts established by the City Auditor Finance Department 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, personal losses incurred while travelling, 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





**OFFICIAL TRAVEL BY ~~MAYOR AND CITY COUNCIL MEMBER~~ SELECTED OFFICIALS (cont.)**

**TRAVEL  
GUIDELINES**

guidelines.

All cash expenditures, credit card expenses, and expense reimbursement requests must be submitted to the City ~~Auditor~~ 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.

**Reports by Elected ~~Official~~ or Appointed Body**

~~A City representative~~ The elected official(s) must file a written or oral report to the City Council within fourteen (14) business days or at the next City Council meeting ~~of their elected or appointed body which~~ immediately following any travel attended at City expense, or travel attendance as a City official that is funded by a non-City entity.

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 or elected official's respective department's library, as applicable, for open accessibility, except for safety-sensitive portions of such materials.

**Rewards and Promotional Benefits**

Rewards granted under frequent travel programs through airlines,



## OFFICIAL TRAVEL BY ~~MAYOR AND CITY COUNCIL MEMBER~~SELECTED OFFICIALS (cont.)

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, to the extent possible.

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.

### **CRITERIA FOR OFFICIAL TRAVEL**

#### **Official City Representative Criteria**

When travelling to a conference, convention, workshop, or similar event, one or more elected officials ~~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. Official travel must be related to elected official's roles or duties such as work performed on a particular issue or substantive area in an official capacity. ~~Representative(s) must have an active role, active~~ committee assignment, liaison assignment, task force 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 officials ~~and appointed members of City Council~~ is an allowable activity and expense when it is performed for a valid public purpose:

- a. Attending educational seminars designed to improve the elected official's skill and information levels, or to comply with applicable professional standards
- b. Participating in regional, state, and national organizations whose activities affect the City's interests
- c. Communicating with representatives of regional, state, and national government and their various agencies



## OFFICIAL TRAVEL BY ~~MAYOR AND CITY COUNCIL MEMBER~~SELECTED OFFICIALS (cont.)

d. Travel is consistent with ~~current~~the adopted budget and/or legislative priorities

~~Travel is limited to events and/or conferences 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 ~~officials 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 if such travel falls outside the criteria set forth in this policy.

### **SUMMARY OF CONFERENCES AND TRAVEL**

#### **Official Travel – Local (Drivable Distance)**

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

#### **Official Travel – In-state**

- a. In-state travel is limited to a maximum of two selected officials ~~members of the City Council~~ per official travel event, except as follows:-

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

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



## OFFICIAL TRAVEL BY ~~MAYOR AND CITY COUNCIL MEMBER~~SELECTED OFFICIALS (cont.)

- b. In-state travel requires elected officials ~~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'~~respective department's Operating Budget
- b. Out-of-state travel is limited to a maximum of two elected officials ~~members of the City Council~~ per conference.
- c. Out-of-state travel requires elected officials ~~City Council~~ to meet the criteria for official ~~City Council~~ travel.

### Official Travel – International

- a. International travel is limited to a maximum of three elected officials ~~members of the City Council~~ per trip.
- b. International travel ~~will~~may be initiated by invitation or commemoration of anniversaries with the City of Santa Clara's sister cities.
- c. International travel requires ~~City Council~~elected officials to meet the criteria for official ~~City Council~~ travel.
- d. International travel is approved in advance annually in the respective department's 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.

International travel requires elected officials to meet the criteria for official travel.





## OFFICIAL TRAVEL BY ~~MAYOR AND CITY COUNCIL MEMBER~~SELECTED OFFICIALS (cont.)

### Official Travel – Other

For any official travel that has not been pre-approved in the ~~Mayor and City Council Offices'~~respective department's 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~~elected officials, 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-fifteen~~ (14~~5~~) ~~calendar-business~~ days of an expense being incurred, elected officials 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~~respective department's library for open accessibility, except for safety-sensitive materials.

~~A City representative~~The elected official(s) must submit file a written or oral report to the City Council on the results of their travel within fourteen (14) business days meeting of their elected or appointed body which immediately followings any travel attended at City expense, with the criteria outlined within this policy. The elected official must file a written or oral report to the City Council within fifteen (15) business days or at the next City Council meeting immediately following any travel attended at City expense, with the criteria outlined within this policy.



## OFFICIAL TRAVEL BY ELECTED OFFICIALS

<b>PURPOSE</b>	<p>Consistent with the City of Santa Clara (City)'s Code of Ethics and Values, the City is fiscally responsible and endorses the proper use of City assets to help ensure the City's fiscal stability.</p> <p>In order to ensure an open and transparent government, the City Council will regulate and prescribe guidelines for official travel by all elected officials. Reimbursement for official travel funded by non-City entities shall be in accordance with the guidelines issued by such other non-City entity.</p> <p>To the extent the official's expenses are not reimbursed by the non-City entity, the official may request reimbursement in accordance with the requirements of this policy (e.g., the official is chosen to serve as the City representative on a County-wide committee and the County agency sends the official to a conference, and reimburses the official for conference attendance and hotel, but not for meals and mileage; the Official may seek reimbursement for meals and mileage in accordance with the terms of this policy.)</p> <p>This policy does not address an official's reporting requirements relative to payments by a non-City entity for official travel; elected officials must comply with FPPC reporting requirements relating to payments for travel.</p>
<b>POLICY</b>	<p>In order to control and properly account for expenditures made by elected officials in the course of their official duties, only authorized expenses may be reimbursed in accordance with the Travel-Meal Reimbursement &amp; IRS Mileage Rates established by the Finance Department on an annual basis and within the criteria outlined within this policy.</p> <p>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, personal losses incurred while travelling, and expenses for family members.</p> <p>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</p>



## **OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)**

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 Auditor 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 Auditor for compliance with this policy and eligibility for reimbursement.

### **TRAVEL GUIDELINES**

#### **Reports by Elected Officials**

The elected official must file a written or oral report to the City Council within fifteen (15) business days or at the next City Council meeting immediately following any travel attended at City expense or travel attendance as a City official that is funded by a non-City entity.

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 or elected official's respective department's library, as applicable, for open accessibility, except for safety-sensitive portions of such materials.

#### **Rewards and Promotional Benefits**

Rewards granted under frequent travel programs through airlines,



## **OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)**

### **CRITERIA FOR OFFICIAL TRAVEL**

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, to the extent possible.

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 City Representative Criteria**

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

- a. Official travel must be related to the elected official's roles or duties such as work performed on a particular issue or substantive area in an official capacity, committee assignment, liaison assignment, task force assignment, or council assignment.
- 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 officials is an allowable activity and expense when it is performed for a valid public purpose:

- a. Attending educational seminars designed to improve the elected official's skill and information levels, or to comply with applicable professional standards
- b. Participating in regional, state, and national organizations whose activities affect the City's interests
- c. Communicating with representatives of regional, state, and national government and their various agencies
- d. Travel is consistent with the adopted budget and/or legislative priorities

Elected officials may attend conferences or any other official travel at





## **OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)**

### ***SUMMARY OF CONFERENCES AND TRAVEL***

their own expense if such travel falls outside the criteria set forth in this policy.

#### **Official Travel – Local (Drivable Distance)**

- c. Local travel or single-day events that do not require an overnight stay are open to all elected officials.
- d. Local travel or single-day events that require an overnight stay must meet the criteria for official travel.

#### **Official Travel – In-state**

- a. In-state travel is limited to a maximum of two elected officials per official travel event, except as follows:

The League of California Cities Annual Conference is open to all members of the City Council and the 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 elected officials to meet the criteria for official travel

#### **Official Travel – Out-of-state**

- a. Out-of-state travel is approved in advance annually with the respective department's Operating Budget
- b. Out-of-state travel is limited to a maximum of two elected officials per conference.
- c. Out-of-state travel requires elected officials to meet the criteria for official travel.

#### **Official Travel – International**

- a. International travel is limited to a maximum of three elected officials per trip.
- b. International travel may be initiated by invitation or commemoration of anniversaries with the City of Santa Clara's



## **OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)**

sister cities.

- c. International travel requires elected officials to meet the criteria for official travel.
- d. International travel is approved in advance annually in the respective department's 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 respective department's 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 travel.
- b. Requests for travel approval require 5 votes from the City Council.
- c. When reviewing and considering approval of requested travel by elected officials, 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 fifteen (15) business days of an expense being incurred, elected officials 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 respective department's library for open accessibility, except for safety-sensitive materials.

The elected official must file a written or oral report to the City Council within fifteen (15) business days or at the next City Council meeting



## **OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)**

immediately following any travel attended at City expense, with the criteria outlined within this policy.

**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 16<sup>th</sup> 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.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
REPEALING RESOLUTION NO. 17-8432 AND ADOPTING  
COUNCIL POLICY ON OFFICIAL TRAVEL BY ELECTED  
OFFICIALS**

**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 financial resources seriously;

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

**WHEREAS**, the Council Policy on Official Travel by Elected Officials establishes the criteria, procedures, and guidelines for official travel to ensure that public funds are expended for travel only when it serves a public purpose for the City of Santa Clara;

**WHEREAS**, the Council Policy on Official Travel by Elected Officials, attached hereto as Exhibit A, provides guidance and criteria for elected 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 Council Policy on Official Travel by Elected Officials 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. That Resolution No. 17-8432 adopting Council Policy 043 ("Official Travel by Mayor and City Council Members") is hereby repealed in its entirety.
2. That Council Policy 043 ("Official Travel by Elected Officials"), attached hereto as Attachment 1, is hereby approved and adopted by the City Council of the City of Santa Clara.

3. 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2019, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Council Policy on Official Travel by Elected Officials