

RESOLUTION NO. 19-8751

**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 by elected officials 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That Resolution No. 17-8432 adopting Council Policy 043 ("Official Travel by Mayor and City Council Members") is hereby repealed in its entirety.

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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 4TH DAY OF SEPTEMBER 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Mahan, and Watanabe, and Mayor Gillmor
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NOES:	COUNCILORS:	None
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ABSENT:	COUNCILORS:	Hardy
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ABSTAINED:	COUNCILORS:	None
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ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Council Policy on Official Travel by Elected Officials



OFFICIAL TRAVEL BY ELECTED OFFICIALS

PURPOSE	<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>
POLICY	<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 & 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.)

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 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 elected officials, 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, with the exception of United States Conference of Mayors and National League of Cities conferences and meetings.
- 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.



OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)

- b. International travel may be initiated by invitation or commemoration of anniversaries with the City of Santa Clara's 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.



OFFICIAL TRAVEL BY ELECTED OFFICIALS (cont.)

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.