Policy 7.3.13 Support for Councilmembers; Staff-Council Communications

POLICY PURPOSE:

It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers, including staff assistance and communications, as well as supplies, travel and expense allowances. This policy is supplementary to and in no way is intended to conflict with the City Charter. For further information on this subject, see:

- City Charter, Section 807
- Code of Ethics and Conduct for Elected Officials (available on the City's internal Web site or in the Office of the City Clerk)

POLICY STATEMENT:

I. Equipment, Material, and Supplies. Certain supplies and materials are required by Councilmembers to discharge their functions. The City Manager shall make available to Councilmembers the following materials and supplies when requested, which shall be used predominantly for City business and only incidentally for personal use:

A. A key card programmed to access City Hall and a key to the Council conference room to be returned when a Councilmember leaves office.

B. One file cabinet per four-year term, to be returned to or purchased from the City at market rate when a Councilmember leaves office.

C. Customary office supplies and business cards for official City use. Individual Councilmembers shall have the choice of business cards with an embossed seal (white only) or color seal (non-embossed). Councilmembers shall not use business cards which do not reflect their official position or title (i.e., Mayor, Vice Mayor, or Councilmember) at the time of use.

D. A technology allowance in the amount of $1,300 per Councilmember per four-year term for the purchase of equipment including, but not limited to, a personal computer, printer, laptop, personal digital assistant (PDA), answering machine, cell phone or fax. Equipment purchased with this allowance shall be consistent with standard City issue, or approved by the Director of Information Technology, and shall be returned to or purchased from the City at market rate when a Councilmember leaves office. An amount not to exceed $60 per month (non-taxable) shall be reimbursed for monthly service charges for equipment purchased under this policy. Public Record Act and Brown Act issues are associated with the use of these types of equipment. To the extent the equipment is used for the performance of official City business, much of the data contained in the equipment is public property and a public record.

E. Newly elected and incumbent Councilmembers shall receive one City shirt per Council term year, style to be chosen by individual Councilmembers from standard choices available. Newly elected Councilmembers will receive their first shirt in January following the certification of election results. A request for style preference will be sent

to newly elected and incumbent Councilmembers in December from the Executive Assistant to the City Council in preparation of ordering shirts for the next calendar year.

II. Staff Assistance. It is recognized that Council's work cannot be fully conducted at Council meetings. It is also recognized that the City Charter places the responsibility on the City Manager to conduct the day-to-day affairs of the City consistent with established Council policy and does not permit Councilmembers to direct the activities of City staff. The following policies regarding staff assistance are established to comply with the City Charter and meet the staffing needs of Councilmembers (see Code of Conduct and Code of Ethics for additional guidance):

A. Councilmember Inquiries and Requests for Information

1. General. Council communications with City staff should be limited to normal City business hours unless the circumstances warrant otherwise. Responses to Council questions posed outside of normal business hours should be expected no earlier than the next business day. A request for information, records, written work or analysis by City staff with support work of up to one (1) hour will be provided. Requests over one hour must be approved by the Council. The City Manager can authorize a deviation from this policy if he/she determines that the request needs to be filled before the Council next meets.

2. Routine Requests for Information and Inquiries. Councilmembers may contact staff directly for information made readily available to the general public on a regular basis by City staff (e.g., "What are the library's hours of operation?") or "How does one reserve a tee time at the golf course?". Under these circumstances staff shall treat the Councilmember no differently than they would the general public, and the Councilmember shall not use their elected status to secure preferential treatment. The City Manager does not need to be advised of such contacts.

3. Non-Routine Requests for Readily Available Information. Council may also contact staff directly for easily retrievable information *not routinely requested by the general public* so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many traffic lights are there in the City?" or "Under what circumstances does the City lower its flags to half mast?"). Staff shall inform the City Manager of all such Council contacts, and the City Manager shall determine whether to copy all other Councilmembers the requested information.

4. Non-routine Requests Requiring Special Effort. Any Councilmember request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff express an opinion (legal or otherwise) must be directed to the City Manager, or to the City Attorney, as appropriate (e.g., "How many Study Issues completed over the past five years have required 500 or more hours of staff time?" or "What is the logic behind the City's sign ordinances affecting businesses along El Camino Real?"). The City

Manager (or City Attorney as appropriate) shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers, the City Manager, the City Attorney as appropriate, and affected Department Heads.

5. Questions Regarding Reports to Council. Councilmembers should forward any questions regarding staff "Reports to Council" at least 24 hours in advance of the Council meeting for which that item is agendized. During Council meetings, any questions from Council having to do with non-agenda items shall be directed to the City Manager for follow-up.

6. Meeting Requests. Any Councilmember request for a meeting with staff must be directed to the City Manager or City Attorney, as appropriate. When in doubt about the appropriateness of a communication with staff, Councilmembers shall ask the City Manager for advice.

7. Restricted Information. Under certain circumstances, requests for information regarding operations or personnel may be legally restricted. Applicable statutes include: The Peace Officers' Procedural Bill of Rights (California Government Code Section 3300, et seq.), Confidentiality of Peace Officer Records (California Penal Code Section 832.5-7), and a number of exceptions to the California Public Records Act, defined in Government Code Section 6254. Providing information in response to such requests could violate the law, and might also violate due process rights that have been defined for employees in the State of California. Accordingly, it shall be the policy of the City of Sunnyvale to strictly comply with all applicable legal authorities governing the release of personnel information and records.

B. Administrative Assistance. In order to effectively discharge the responsibilities of elected officials, the Mayor and Councilmembers are entitled to receive the following administrative services. The City Manager shall assign a person or persons to provide these administrative services and shall so advise the City Council.

1. Preparation of correspondence relating to official City business within the resource restraints of the adopted budget (see section II. E. below).

2. Assistance shall be provided to Councilmembers in arranging for meetings to be held in City facilities. Normal scheduling methods shall be used. The Executive Assistant to the City Council is responsible for making arrangements for City Councilmember meetings to be held in City facilities. This provision does not apply to regular or special City Council meetings (which are coordinated through the City Clerk's Office). Staff shall not provide support or use any City resources for political campaigns.

3. Assistance in securing single copies of official records will be provided.

4. Council Calendar. A calendar of general Council activities is maintained for Council by the Executive Assistant to the City Council. Councilmembers are notified of upcoming City events to determine their respective interests and arrangements are made accordingly. This calendar is not comprehensive of every individual activity of each Councilmember. The CAC is available to Council online at all times and is updated at least once each day the Executive Assistant to the City Council is at work.

5. City Council Mail and AnswerPoint Email. The Mayor shall have the option of opening his/her own mail. If he/she chooses to have staff open his/her mail, all mail not marked confidential or personal shall be opened daily and date stamped by the Executive Assistant to the City Council, reviewed by the City Manager, and delivered to the Mayor's office. Copies of letters to the Mayor are also copied to Council Files maintained by the Executive Assistant to the City Council. Mail for Council, unless marked confidential or personal, is opened, date stamped, and placed in Council mailboxes daily by the Executive Assistant to the City Council.

   Emails from both Council and Mayor AnswerPoints are reviewed by the Executive Assistant to the City Council and forwarded to Councilmembers , copying the City Manager, Assistant City Manager, and affected Department Heads. These emails are also copied to Council Files (See Admin Policy Chapter 1, Article 17, for more information on how to respond to "Customer Concerns and Inquiries").

   Council packets are delivered generally twice a week to Councilmembers. Councilmembers receive a Council packet on the dais at each Tuesday night's Council meeting. If there is no Council meeting on Tuesday, the Tuesday packet is held over until Thursday delivery unless there are urgent mail items. Council packets are also delivered to Councilmembers' homes each Thursday evening along with Council binders for the next Tuesday's Council meeting. If a holiday falls on a Thursday, packets are delivered the day before the holiday(s) occur. Packets include a current copy of the Council Calendar. With the exception of the two deliveries noted above, and/or emergencies as defined by the City Manager, Councilmembers are to deliver and retrieve their own mail and materials to and from City Hall.

6. Council Files. The purpose of the Council Files is to provide a reference for Councilmembers and the public of written information that has been submitted to Council either by regular or electronic mail. The Council Files contain information of a general interest to the Council. The Files are maintained by the Council Executive Assistant, and all items three years or older are automatically purged from the Files. The Council Files are available for inspection to any interested person during regular business hours.

7. Mayor's Correspondence File. The purpose of the Mayor's Correspondence File is to provide a reference for Councilmembers and the public of written correspondence signed by the Mayor.

8. Council Announcements and Official Council Recognition of Individuals, Organizations and/or Events shall be prepared upon request of the Mayor (for more detail, please see Council Policy 7.3.20, Council Resolutions, Proclamations, Certificates and Letter of Public Recognition.) The Executive Assistant to the City Council coordinates the preparation and scheduling (with the City Clerk's Office when in connection with a Council meeting) of all Council Announcements and official Council recognitions of individuals, organizations and/or events. All Council Announcements should be forwarded to the Executive Assistant to the City Council at least one week prior to the Council meeting.

C. Intergovernmental (IGR) Support.

1. Staff Support for Council IGR Assignments. Staff assistance shall be provided to Councilmembers serving on intergovernmental bodies when the Council has approved the appointments of a member to that body, or in the case when the Council is not the approving body, if the Council has consented to that member sitting on that body (see Council Policy, 7.3.12 regarding the City Council Appointments to Intergovernmental Agencies, City Council Subcommittees and Council or Mayor-Created Advisory Task Forces). Unless officially approved by the Council, no staff support shall be provided once a Councilmember leaves City office. The City's Intergovernmental Relations (IGR) Program is coordinated within the Office of the City Manager. The Office of the City Manager is responsible for assisting Council with applications for IGR committees, determining levels of staff support, presenting Reports to Council to ratify IGR appointments, and maintaining the Council IGR committee database.

   For purposes of this policy, intergovernmental bodies are broadly defined to include committees of intergovernmental agencies or organizations. Staff support shall be consistent with the following guidelines:

   a. Assignments will be made by the City Manager.

   b. If the intergovernmental body has its own professional staff, such staff should be utilized to the greatest practical extent, rather than City staff.

   c. Assigned staff shall meet with newly assigned Councilmembers regarding the expected level of support. A form will be provided to reflect the agreed upon level of support with appropriate signatures. This form is updated at a Councilmember's request, or upon a change in assignment.

d. Staff shall request that the Councilmember be placed on the committee's mailing list to receive all required information.

e. Assigned City staff shall not attend the intergovernmental meeting unless the Councilmember requests such attendance from the City Manager, and the Manager approves.

f. The primary responsibility of assigned staff is to review issues before the intergovernmental body as they may affect the City, and to advise and assist the Councilmember in presenting issues before the full Council. Staff is encouraged to communicate with Council in writing to avoid miscommunication. IGR information provided to Council shall be consistent with adopted City policies (consider General Plan Sub-elements, adopted legislative advocacy positions, or past Council practice).

g. In the absence of adopted policy, staff should determine whether the issue is significant enough to warrant a Council adopted position. If so, the City Manager should be notified in a timely manner so that the issue can be placed on a Council agenda.

h. Councilmembers shall not direct staff to conduct major research. Major research shall occur only upon the direction of the City Manager.

i. As directed by the City Manager, assigned staff may prepare formal IGR correspondence on behalf of Councilmembers only on issues arising from a Councilmember's IGR committee assignment Always copy the originating department Director, City Manager and IGR Officer on all IGR-related correspondence (For more detail on IGR advocacy correspondence, see Section E: "Correspondence Preparation").

j. Council may provide updates on their IGR assignments during the Council Updates on Intergovernmental Activities.section of the Council agenda.

2. Legislative Briefings. Staff prepares briefing reports for Councilmembers attending conferences and meetings as directed by the City Manager. Such reports include up-to-date information on the issues at hand. When the subject is to be discussed with specific legislators, their position (if known on the matter) should be included in the report.

3. Legislative Advocacy Positions. Each year the City Manager shall present for Council's consideration draft Legislative Advocacy Positions. Once approved by City Council, these "advocacy positions" become the official City advocacy position on pending legislation. During the year, staff monitors and researches pending legislation to identify bills that could significantly impact Sunnyvale.

Research actions range from web site research to contacting legislative analysts in government offices and city associations. Staff may also conduct limited advocacy should issues arise throughout the year that significantly impact the City, and if Council positions have previously been established by the LAP. Upon request, staff may contact staff of federal, state or county electeds or officials to perform advocacy on legislation or issues that may significantly impact the City of Sunnyvale and for which existing City policy exists.

Councilmembers or staff wishing to take a position on a legislative issue must first determine whether an official City position already exists. If unsure, Councilmembers should consult the City Manager who will direct a staff search of existing policies. If a City position already exists, the Mayor is the official spokesperson for the City. Councilmembers must not express conflicting opinions unless they clearly identify the City's official position and clarify that theirs is a minority viewpoint in conflict with the City's position. If an official City position does not already exist, the Councilmember must first decide whether or not the issue warrants being agendized for Council consideration. If so desired, the Councilmember should alert the Mayor and the City Manager, who will agendize the issue for future Council consideration. Staff will prepare a Report to Council discussing the pending legislation and providing a staff recommendation to either support, oppose or take no position regarding the legislation.

When representing the City on an intergovernmental committee, Councilmembers must vote in accordance with the official City position on an issue, regardless of the Councilmember's individual position.

4. Ballot Measure Positions

As soon as possible following the release of the Secretary of State's *Official Voter Information Guide* (*Guide*) or the Santa Clara County Registrar of Voter's *Voter Information Pamphlet* (*Pamphlet*), staff will present to Council a report reviewing proposed ballot measures. (Should Council want to review proposed ballot measures prior to the release of the *Guide* or *Pamphlet*, Council should request such a review of the city manager; in this instance, the report will most likely not include staff analysis.)

Staff shall provide analysis and a position recommendation of only those ballot measures that directly impact City business. Consistent with Council Policy 7.3.2, *Legislative Advocacy Positions*, City business is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success. All measures deemed not City business will be presented via the same report for potential Council Action, however, will not include staff analysis. If staff is unclear about whether a specific measure affects City business staff shall consult the Mayor and Vice Mayor with an initial review of the measures and a proposed designation of City business or not City business.

Any ballot measure issue that is already covered by City policy will include a citation and summary of that policy. Ballot measure issues which are not covered by existing policy will include staff analysis of potential impacts to City operations or fiscal impacts.

D. Ceremonial Events and Speech Preparation.

1. Ceremonial Events. Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Councilmember should be asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Councilmembers at their homes are presumed to be for unofficial, personal consideration.

2. Council-initiated Speeches. Councilmembers are entitled to staff assistance for speech preparation for apolitical City-related events and programs or to support Council-approved actions or advocacy positions. Such assistance shall be requested of the City Manager for purposes of assigning appropriate staff assistance. Requests should be made at least two weeks in advance of the presentation. An outline of issues to be covered as well as available supporting material is to be provided by the requesting Councilmember. A draft of the speech will be provided to the Councilmember for final review at least three days prior to the presentation.

3. Department-initiated Speeches. Departments initiating the preparation of speeches for Councilmembers shall first obtain direction and approval from the City Manager. Departments shall either prepare such speeches themselves, or submit a request to the Communications Office at least two weeks prior to the scheduled presentation.

E. Correspondence Preparation.

The Mayor or his/her designee shall sign all correspondence on behalf of the entire Council. All correspondence in which the City takes a position on a piece of legislation or issue shall be signed by the Mayor with a copy placed in the Mayor's Correspondence File (accessible to all Councilmembers for review). Before routing to the Mayor for signature, all correspondence in which the City takes a position on a piece of legislation or issue must be approved by the department director. City Manager approval is required in cases when it is unclear if an official City policy supports performing advocacy. The originating department Director, City Manager and IGR Officer shall be copied on all IGR-related correspondence.

All correspondence conveying thanks or appreciation on behalf of the entire City Council shall be signed by the Mayor. This does not preclude individual

Councilmembers from creating their own personal correspondence. However, a Councilmember may not request, nor use City resources in the preparation of personal correspondence or correspondence to political organizations in support or pursuit of a political office, or in support of someone else's pursuit of a political office.

Staff will not prepare correspondence representing a Councilmember's personal point of view or a dissenting point of view from an official City policy or Council position. If Councilmembers use their title, position, or City letterhead to express a personal opinion, the official City position must be stated clearly so the audience understands the difference between the official City position and the minor viewpoint of the Councilmember. (See Code of Conduct for Elected Officials for more information). A copy of any and all correspondence developed by or for a councilmember on City letterhead shall be provided to the Office of the City Manager for filing.

The City Manager is responsible for assigning appropriate staff to assist the City Council in the preparation of correspondence. Assigned staff prepares correspondence for signature and submits it to the Executive Assistant to the Mayor and Council for coordination of the Mayor/Councilmember's signature. Unless the Mayor/Councilmember determines that revision(s) to the document are required, signed correspondence is returned by the Executive Assistant to the preparer for mailing, distribution, and filing with their department. Copies of all correspondence signed by the Mayor or Council are maintained in the Council Files by the Executive Assistant and are open to public inspection during normal business hours.

The Mayor or his/her designee shall make all advocacy telephone calls in cases when the City takes a position on a piece of legislation or issue and when a telephone call is deemed the most effective means of advocacy. Brief talking points may be prepared/coordinated by department IGR Liaisons that include: Specific information regarding who to call including name, title, and phone number(s); applicable existing City policy that supports taking an advocacy position; and a couple of brief talking points that include the specific action requested. Just as in the case of written IGR advocacy correspondence and before being routed to the Mayor, all telephone talking points in which the City takes a position on a piece of legislation or issue must be approved by the department director. A copy of all telephone talking points in which the City takes a position on a piece of legislation or issue shall be placed in the Mayor's Correspondence File (accessible to all Councilmembers for review). City Manager approval is required in cases when it is unclear if an official City policy supports performing advocacy. The originating department Director, City Manager and IGR Officer shall be copied on all IGR-related correspondence.

F. Technical Support. Technical support to maintain and facilitate the use of equipment is limited to that required for official duties. Support will only be provided for equipment purchased in accordance with section I.E. of this policy, and only at the same level as is provided to City employees. Councilmembers must bring equipment to City facilities for repair or on-site maintenance.

G. Receiving and Responding to Community Member Inquiries and Concerns (For more detail, see Administrative Policy Manual, Chapter 1, Article 17: "Customer Inquiries and Concerns"

All non-emergency community member inquiries and concerns *dealing with the administrative or operational affairs of the City* which are received by Council (whether at home or at the City) shall be routed to the City Manager and appropriate Department Head(s) for information and follow-up. Staff shall respond to the inquiry or complaint, most often in the same form it was received (i.e., letter, email, phone). Any community concern initially directed to Council shall be tracked by staff with resolution copied to the City Manager and copied to Council Files by the Executive Assistant to Council, thereby ensuring that the same information is made available for review by all members of Council.

All community member concerns or inquiries *dealing with Council policy* should be routed to the Mayor and Council for consideration and follow up, with a copy to the City Manager, City Attorney, and affected Department Heads. Copies of communications related to items on Council's upcoming agenda shall be included whenever possible in the agenda packets prepared for Council prior to the public hearing.

Inquiries concerning any City incident or operation shall not be answered until it is safe and practical to do so, and at such time as it will not jeopardize staff response to the incident or operation.

Staff shall make every effort to acknowledge (simply confirm receipt of) customer contacts the same day they are received. Acknowledgement of concerns received by letter shall be mailed within 3 business days.

If staff cannot respond (provide an answer) to a customer within five working days of initial contact, an interim reply shall be provided which:

- Acknowledges receipt;
- Briefly explains the reason a complete response cannot be provided at this time; and
- Identifies a reasonable time frame when a response will be sent.

A complete follow-up response should not exceed ten working days from the date of initial contact.

If responding to a customer will exceed ten working days, staff shall continue to communicate with the customer, and shall continue to identify reasonable time frames when follow-up responses will be provided.

H. Council Travel and Conferences.

Authorized Travel and Conferences. Councilmember attendance at conferences and meetings can be both beneficial and cost effective to the City. Attendance for one or more of the following reasons, would be viewed as an extension of official City responsibilities. Councilmembers may attend conferences and meetings that meet one or more of the following purposes, subject to individual budget limitations and prior Mayoral approval:

1. Voting Delegate: The City is usually requested to designate an official delegate from among the Council who will cast the City's vote and represent the City's position on business presented before a conference delegation.

2. Committee Membership: Councilmembers may choose to serve on local, state and national committees which provide the opportunity to represent state or City interest in key policy and legislative areas. Meetings are often held in conjunction with annual conferences as a means of saving cost and encouraging wider attendance.

3. Education: Most conferences are workshops and seminars, which are used to brief Councilmembers on key legislation, policies or programs impacting local government.

4. Advocacy: A conference environment offers Councilmembers the opportunity to articulate the City's position on key legislation and funding policies with key elected/appointed officials on both the state and federal levels.

5. Sharing of City's Expertise: Sunnyvale is widely viewed nationally and internationally as a model in local government management. Sunnyvale Councilmembers may on occasion be invited to present papers or presentations to a conference or workshop with the goal of improving the efficiency and performance of government in general.

6. Affiliations. Each year the Council will assess the benefit of City membership in the following organizations which have traditionally been identified as providing support and service to local governments:

   - ❑ The National League of Cities (NLC)
   - ❑ U.S. Conference of Mayors (USCM)
   - ❑ League of California Cities (LCC, including Peninsula Division meetings)
   - ❑ Association of Bay Area Governments (ABAG)
   - ❑ Santa Clara County Cities Association (SCCCA)

7. Conferences. The following conferences and meetings are approved for inclusion by Councilmembers in the annual Council Travel Budget Proposal cited in Section D:

   - ❑ Annual Meeting (NLC)
   - ❑ Congressional Cities Conference (NLC)

- ❑ Annual Conference (USCM)
- ❑ Mid-Winter Meeting (USCM)
- ❑ Annual Conference (LCC)
- ❑ Annual Executive Forum (LCC)
- ❑ New Councilmembers Conference (LCC)[1]
- ❑ Bi-Annual Legislative Conference (LCC)
- ❑ General Assemblies (ABAG)
- ❑ General membership meetings of the Santa Clara County Cities Association
- ☐ Committee/board meetings of NLC and LCC[2]
- ❑ Conferences that are of obvious benefit to the City
- ❑ Councilmember has been invited to present a City/State position
- ❑ Councilmember is lobbying on behalf of a City/State program Conferences that provide professional development for Councilmembers in carrying out official City responsibilities

Unauthorized travel and/or conferences

Any travel or conference attendance not specifically listed above shall be considered unauthorized unless approved in advance by the Mayor. No travel or conference attendance shall be authorized for functions designed for political campaigning or fund-raising.

Budget. The cost of the proposed travel shall be established by approval of the annual budget by Council. As a reference, the Council has approved $6,675 per Councilmember for FY 13/14; the Mayor is to receive an additional $6,675 for travel associated with Mayoral duties.

Since Councilmember terms do not coincide with the fiscal year, Councilmember budgets must be prorated. The percentage of travel funds allocated to outgoing Councilmembers will be determined by staff and based on the scheduled dates of annual conferences, including those mentioned above, plus any unspent funds originally allocated to the outgoing Councilmembers' respective seats. The Mayor's budget will be allocated similarly.

Each Councilmember will be provided with an update of his/her travel expenses compared to the budget on a monthly basis by the Executive Assistant to Council. In addition, the Mayor (who authorizes payment of expenses) will also receive the same information on each Councilmember's expenditures. The Executive Assistant to Council shall inform the Mayor and the City Manager when any Councilmember's budget is close to being overdrawn.

[1] Newly elected Councilmembers may attend only.

[2] Once a Councilmember has obtained Council approval to travel to meetings of a specific NLC or LCC Committee, the Councilmember has authority to fulfill these travel commitments through his/her committee tenure, subject to individual budget limitations. The Councilmember is not required to obtain Council approval annually under this circumstance.

Councilmembers are not to exceed authorized amounts budgeted for travel. Any and all travel expenses in excess of a Councilmember's approved budget shall be reimbursed to the City by the Councilmember.

Mid-year increases in travel budgets are discouraged and generally will be considered only if Councilmembers can demonstrate that additional amounts are for unforeseen expenses that could not be anticipated prior to the initial adoption of the annual travel budget. However, it is not always possible to anticipate all the future plans of every organization or group. As such, there are two ways for a Councilmember to increase his/her approved travel budget:

First, the adopted travel budget can be amended on a case-by-case basis during the fiscal year by approval of the City Council at a public meeting. Councilmembers desiring an increase in their annual travel budget shall provide an estimate of the additional amounts prior to actual travel or expenditure of funds. Justifications for the budget increase also shall be included with the request for additional funds. All increases in travel budgets must be approved by a majority vote of the full Council prior to actual travel or expenditure of additional funds.

Second, Councilmembers may choose at any time to relinquish a portion of their unspent travel budget to another Councilmember. Any Councilmember wishing to do so shall notify the Executive Assistant to Council and the City Manager in writing. Otherwise, the remaining balance of unspent funds at the end of the fiscal year shall return to the General Fund.

Any carryover of Council travel budgets from one fiscal year to the next shall require the approval of the Council during the annual carryover process in the fall.

Travel Arrangements

Unless Councilmember's opt to book their own travel, the Executive Assistant to the City Council makes arrangements for City Council travel including registrations, transportation and lodging, travel advance requests, and travel cash advances (if requested by the Councilmember).

Travel Information Packet

The Executive Assistant to the Council prepares a travel information packet for each Councilmember traveling. The packet contains either originals of or copies (if already submitted to Councilmember) of the following:

- Transportation ticket
- Hotel reservation
- Conference registration material
- Travel advance funds (if requested)

- Detailed itinerary
- Issue papers, as appropriate
- 10 lapel pins for exchange
- Expense report forms

Travel and Conference Expenses

The Charter provides for payment of actual and necessary expenses incurred by Councilmembers when on official duty on order of the City Council. In furtherance of this Charter provision, the following guidelines are established.

Expense statements submitted by Councilmembers are processed by the Executive Assistant to the City Council and submitted to the Department of Finance, including any refunds of non-expended funds. The Mayor's signature is required as approval of Council expense statements. The Vice-Mayor approves the Mayor's expense statements. Councilmembers traveling at City expense to conferences and committee meetings of National League of California Cities, U.S. Conference of Mayors, and the League of California Cities when appropriate may submit a written activity report to the entire Council. The written activity report shall be submitted at the same time the expense statement is submitted.

a. Expenses Reimbursed. Expenses will be paid by the City for conferences, conventions, meetings, workshops, seminars, activities and the like on the following basis:

i. Registration fees, if any, shall be paid directly by the City in advance.

ii. Transportation.

(A) Conferences or meetings outside of the San Francisco Bay Area:

(1) Air travel expense shall be paid by the City in advance on the basis of the most direct route to the site, at coach rates, provided such accommodations are reasonably available.

(2) Transportation to and from the airport shall be by the most practical and efficient means available.

(3) Rental vehicles may be used for business purposes at the destination subject to the following:

(a) no other reasonable transportation is available

(b) taxi fare would exceed the cost of the rental vehicle

(4) The expense of driving a personal automobile shall be paid by the City on the following basis:

(a) if air transportation is reasonably available, payment shall be limited to the cost of coach air fare

(b) if such air transportation is not reasonably available, payment shall be made on the basis of the established City rate per mile

(B) Local conferences, meetings or activities:

(1) Councilmembers shall be reimbursed for use of their personal vehicles at the established City rate per mile while on official City business, which includes, but is not limited to the following:

(a) authorized attendance at any conference, meeting, convention, workshop or seminar

(b) attendance at assigned intergovernmental meetings

(c) travel within the City regarding official City business

(C) Councilmembers shall be reimbursed for all incidental expenses such as bridge tolls and parking fees incurred as the result of a Councilmembers authorized use of a vehicle while on City business.

iii. Lodging.

The City will pay in advance the amount necessary to reserve a hotel room. The Councilmember may either pay the remainder of the hotel bill in its entirety or the City will pay such bill upon receipt from the hotel. In the latter case, if nonreimbursable items appear on the bill, the Councilmember shall pay for the same promptly upon return to the City.

Hotel accommodations will be at the hotel serving as the official host site of the conference, where reasonably possible.

Additional charges arising from the sharing of a room with a spouse or guest are not reimbursable.

iv. Meals.

Expenses incurred for meals by any Councilmember while on official duty shall be paid by the City, including but not limited to the following instances:

Meals while attending any conference, meeting, workshop, seminar or convention; or

Meals occurring during a local conference, meeting, workshop, seminar or convention; or

Meals hosted by Council members for the purpose of discussing City business; or

Where a meal is part of an activity which the Councilmember is attending in his or her official capacity.

Alcoholic beverages consumed by the Councilmember shall be considered a personal expense and are not reimbursable. If the entire Council invites a guest to a meal, the guest's alcohol shall be paid for by the City.

There shall be no cap on the amount allowed to be spent on meals by Councilmembers, but the City shall pay only for those expenses for which receipts are submitted.

v. Phone calls. Reimbursement shall be made for reasonable long distance or toll telephone charges for calls related to City business. The City shall pay for one personal phone call per day during Councilmember travel requiring overnight stay. If the Councilmember uses a personal cell phone for that call, the City shall reimburse the Councilmember.

b. Expenses Not Reimbursed. The City will not pay personal expenses. In addition to those items identified as personal expenses throughout this policy (e.g., alcohol consumed by a Councilmember), personal expenses include in-room movies, spas and gyms, laundry or dry cleaning, miscellaneous sundries, or other items of a personal nature.

Personal travel shall not be mixed with business travel if it will cost the City anything in dollars or lost time or if it will harm the City's interest in any way. All addition costs incurred by the Councilmember that are over and above the normal cost for City travel shall be considered a personal expense of the Councilmember. The City will not pay for any expenses of a spouse or other person who accompanies a Councilmember on business travel.

The City shall not pay for any unauthorized travel or conference-related expenses.

To the extent that another agency or organization pays for the travel or conference expenses of a Councilmember, the City shall not pay for those same expenses. Councilmembers shall either submit the other agency's payment to the City (in which case the City shall pay for the Councilmember's entire expenses), or refrain from claiming expenses for that portion of his/her expenses paid for by the other agency.

Consistent with the City's practice and policy to procure goods and services at the lowest possible cost, the City shall not pay for travel related expenses that could be procured at less expense through another means.

c. Miscellaneous Expenses. Expenses not specifically covered hereunder shall be paid by the City when such expenses are incurred in the performance of City business. In determining whether such expenses were necessarily incurred in the performance of City business, the applicable Internal Revenue Service publication number 463 and the regulations of allowable deductions for business expenses may be considered as authority. The preceding sentence shall not be interpreted to require the substantiation or documentation required pursuant to said Act or regulations, as the subject of documentation is treated elsewhere in these guidelines.

d. Reporting of Expenses.

i. Statements of expense shall be submitted to the Director of Finance on forms provided for such purpose. The statement shall show all expenses incurred which are chargeable to the City.

ii. Documentation. Hard copy receipts shall be required for all expenses, including air travel, lodging, meals and rental vehicles.

iii. Statements of expenses for conferences, that include all expenses incurred, shall be submitted to the Executive Assistant to the City Council no later than 21 days after return from a conference or meeting, so that they can be forwarded to the Director of Finance no later than 30 days after return. Statements of expenses incurred for local meetings or activities should be submitted within 30 days of the time such expense was incurred; provided, however, that statements of expense for local mileage should be submitted monthly. Statements submitted after the dates specified shall be received and claims based thereon be paid if in order.

iv. Review of Statements of Expense. The Mayor shall review and approve statements of expense for the Vice-Mayor and all other Councilmembers, and the Vice-Mayor shall review and approve statements of expense of

the Mayor for compliance with these guidelines, provided, however, that neither the Mayor nor the Vice-Mayor shall be responsible for reviewing statements for arithmetical correctness.

v. For multiple Council meals paid for by a single Councilmember, the total expense for the meal shall be submitted on the expense report of the Councilmember who paid, along with a written breakdown of amounts to be charged to the budgets of other Councilmembers.

vi. When Councilmembers attend a group dinner where the individual cost of each meal is unavailable, the Mayor shall determine a fair and equitable method of distributing the charges among the various Councilmembers in attendance. The City may pay for meals of official guests of the Council. Costs for meals of guests invited by a single Councilmember shall be charged to the individual Councilmember's budget. The cost of meals, including alcohol, for guests invited by the Mayor or four or more Councilmembers will be paid by the City out of the Council program budget but need not be charged to any Councilmember's travel budget.

III. Implementation.

The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Manager should review this policy with him/her.

Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.

(Adopted: RTC 85-411 (8/20/1985); Amended 94-133 (3/19/1994), 96-054 (2/27/1996), 97-084 (3/25/1997), 02-094 (3/19/2002), [No RTC, Council subcommittee report] (5/14/2002), Amended RTC 04-153 (5/4/2004), (former Policy 7.3.13, "City Council Guidelines and Standards Relating to Secretarial Assistance, Supplies, Travel, and Expenses" was incorporated into this policy as part of the Policy Update Project 11/2005); Amended: [No RTC] (4/17/06); Updated for clarity (7/5/06); Updated for clarity (8/30/2006); Amended RTC 06-376 (11/28/2006); Amended RTC 08-029 (1/29/08); Updated for clarity (9/15/2008); Amended RTC 09-036 (2/3/2009); Updated for clarity (3/3/09); Amended RTC 09-168 (6/23/09 FY 09/10 Budget Adoption); Amended RTC 10-142 (5/25/10); Amended RTC 12-120 (5/15/12); Adopted: RTC 12-156 (6/19/12); Amended: Council Motion, Budget Workshop (5/23/2013); Updated for clarity (6/26/13))

Lead Department: Office of the City Manager