RESOLUTION NO. 95-112

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ESTABLISHING CRITERIA FOR THE REIMBURSEMENT OF THE MAYOR'S AND COUNCIL-MEMBERS' EXPENSES AND RESCINDING RESOLUTION NO. 89-136

WHEREAS, in the normal course and conduct of City business, the Mayor and Councilmembers incur expenses for meals, travel, lodging and other necessary expenses; and

WHEREAS, it is in the best interests of the City to reimburse the Mayor and Councilmembers for such necessary expenses; and

WHEREAS, the amounts of such reimbursement must be updated to meet changing economic circumstances.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Mayor and Councilmembers shall be reimbursed for expenses incurred in conducting official City business in accordance with the rules and policies attached hereto as Exhibit A, together with Exhibits A-1 and A-2; and

2. Resolution 89-136 and all previously enacted resolutions in conflict with the subject matter addressed in this resolution and attached exhibits are hereby rescinded.

* * * * * * * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 9th day of MAY, 1995.

MICROFILMED
Reel 385 Date 6/27/

JACQUELINE L. RYLE
City Clerk

By Jacqueline Ryle

ADOPTED 5/9/95
EFFECTIVE

AYES: Briggs, Calandra, Lung, Quintero, Ronquillo, Woody, Patterson
NOES: None
ABSENT: None

Exhibit 10

95-112 257

EXHIBIT A

The following criteria and policies shall be utilized in regulating the reimbursement to the Mayor and Councilmembers for expenses incurred on City business.

I. OUT-OF-TOWN TRAVEL REIMBURSEMENT

A. **Criteria.** The Mayor and Councilmembers are entitled to receive reimbursement for traveling and other necessary expenses when on official duty. Reimbursement is effected in accordance with the following criteria.

1. **Meals.** The Mayor and Councilmembers shall be reimbursed for meals pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees, as amended from time to time.

2. **Lodging.** The Mayor and Councilmembers shall be reimbursed for lodging pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

3. **Taxi, Limousine and Bus Fares.** The Mayor and Councilmembers shall be reimbursed for taxi, limousine and bus fares pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees

4. **Tips, Gratuities and Service Fees.** The Mayor and Councilmembers shall be reimbursed for tips, gratuities and service fees pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

5. **Registration Fees.** The Mayor and Councilmembers shall be reimbursed for registration fees pursuant to the provisions of Administrative Instructions 10-1 applicable to City employees.

6. **Communications.** The Mayor and Councilmembers shall be reimbursed for communications pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

7. **Parking, Garage and Toll Charges.** The Mayor and Councilmembers shall be reimbursed for parking, garage and toll charges pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

8. **Laundry and Dry Cleaning.** The Mayor and Councilmembers shall be reimbursed for laundry and dry cleaning pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

9. **Other.** The Mayor and Councilmembers shall be reimbursed for other expenses pursuant to the provisions of Administrative Instruction 10-1 applicable to City employees.

If the Mayor or a Councilmember stays with a friend or a relative while attending a professional conference or other out-of-town meeting, which has a host hotel with stated rates, the Mayor or Councilmember may be reimbursed for taking his/her host to dinner in lieu of lodging cost. The total amount to be reimbursed may not exceed one night's

lodging, at the stated hotel rate, per trip. A copy of the conference brochure or page stating the host hotel's rate must be attached to the expense report with a receipt for dinner expenses.

Documentation: A claim for reimbursement must be submitted on Form 57 (attached hereto as Exhibit A-1).

II. CAR AND TRAVEL ALLOWANCE

A. **Travel.** The Mayor and Councilmembers may be reimbursed for mileage, parking, car rental and related transportation expenses incurred in traveling to and from Council meetings or other official business in the Fresno Metropolitan Area (that area within a 50-mile radius of Fresno City Hall). Such authorized expenses are reimbursable in addition to but not in duplication of those described under "Out-of-Town Travel" above. Travel outside a 50-mile radius shall be reimbursed in the same amount as provided in Administrative Instruction 9-1.1 for employees receiving Category 2 vehicle allowance.

A monthly allowance of up to $300 for the Mayor and $260 for Councilmembers may be claimed; however, reimbursement is authorized only for expenses "actually incurred." Consequently, the claimant must certify that the amount claimed was actually expended on official City travel during the reporting period. The Mayor and Councilmembers are also cautioned that such payments will be taxed as ordinary income to the extent they are not supported by receipts or mileage logs acceptable to the IRS.

Documentation: The monthly expense reimbursement form attached hereto as Exhibit A-2 must be submitted for reimbursement.

III. GENERAL AND MISCELLANEOUS EXPENSE ALLOWANCE

A. **Necessary Expenses Incurred by the Mayor and Councilmembers on Official Duty.**

Criteria: To the extent actually incurred, the Mayor may be reimbursed up to $660 per month for necessary expenses, which are solely for the benefit of the City and that are incurred when on official duty. The Mayor Pro Tempore is authorized up to $220 per month, and all other Councilmembers are authorized up to $165 per month each. Such authorized reimbursements are in addition to those expenses described under "Out-of-Town Travel Reimbursement" and Metropolitan Area "Car and Travel Allowance," above, provided that expenses exceeding the monthly maximum cannot be reported and paid in the following month.

Reimbursement will not be allowed for expenses not associated with carrying out official City business. For example, expenses associated with the use of a personal computer to compile lists of constituents, record the results of public opinion research, etc., would likely be reimbursable as expenses incident to the Mayor's or Councilmember's official function. By analogy, expenses associated with the use of personal computers by the Mayor or a Councilmember in his or her campaign endeavors (e.g., preparing precinct lists, voter polls, etc.) would be classified personal, non-reimbursable expenses, i.e., those not associated with carrying out official City business.

ag\504001a

TRAVEL A EXPENSE REIMBURSEMENT REQUEST
FORM 57 (Rev. 6/78)

CITY OF FRESNO, CALIFORNIA

NAME, TITLE, DEPARTMENT/DIVISION

DATE

DESTINATION (FROM, TO)

( ) TRAVEL ADVANCE

PURPOSE OF EXPENSE

( ) EXPENSE REIMBURSEMENT

DATES →													TOTALS
TRAVEL: Type (Air, Auto)													
TRAVEL: *Fare													
TRAVEL: Taxi, Bus													
TRAVEL: Parking													
TRAVEL: **Mileage													
*REGISTRATION													
*LODGING													
FOOD: Breakfast													
FOOD: Lunch													
FOOD: Dinner													
*TELEPHONE													
POSTAGE													
OTHER													
TOTAL EXPENSES													

* Explain fully with receipts

** PRIVATE AUTO

____ mi. @ ____ per mile

____ mi. @ ____ per mile

ODOMETER READINGS		DATES
End		
Start		
Less Personal ( )		
Miles Driven		

OTHER EXPLANATION:

SUMMARY

TRAVEL	
LODGING	
MEALS	
CONFERENCE COSTS (registry, fees)	
MISCELLANEOUS	
TOTAL	
Less: Cash Advance (Ck. #)	
TOTAL REIMBURSEABLE EXPENSE	

I certify that the foregoing is a correct statement of expenses incurred by me on official city business.

SIGNATURE (Claimant)

APPROVAL:

DEPARTMENT HEAD

CONTROLLER

CHIEF ADMINISTRATIVE OFFICER

COUNCIL

es. #89-136

IAYOR/COUNCILMEMBERS MONTHLY EXPENSE REIMBURSEMENT FORM

lame: _____ Month of: _____ 19 ____

DATE																		TOTAL
Breakfast																		
Lunch																		
D...er																		
Postage																		
Telephone																		
Publications																		
Secll. Serv.																		
Other**																		

TOTAL EXPENSES (MAXIMUM: Councilmembers $165; Mayor Pro Tem $220; Mayor $660) Expense #5329:$

TRANSPORTATION REIMBURSEMENT (MAXIMUM: Councilmembers: $260 - Mayor: $300) Expense #5226:$

GRAND TOTAL $

*Admin. Manual rate:	With Receipts	Breakfast - $5.50	Lunch - $9.00	Dinner - $17.50
	Without Receipts	Breakfast - $5.00	Lunch - $8.00	Dinner - $13.00

**Explanation: _____

I certify that the foregoing is a correct statement of expenses incurred by me on official business.

REVISED 5/1/91 *Signature* _____ *Date* _____

Exhibit 1

APR 2 1 1989

RESOLUTION NO. 89-136

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ESTABLISHING CRITERIA FOR THE REIMBURSEMENT OF COUNCILMEMBERS' EXPENSES.

WHEREAS, in the normal course and conduct of city business, Councilmembers incur expenses for meals, travel, lodging and other necessary expenses; and

WHEREAS, it is in the best interests of the city to reimburse Councilmembers for such necessary expenses; and

WHEREAS, the amounts of such reimbursement must be updated to meet changing economic circumstances;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno that Councilmembers shall be reimbursed for expenses incurred in conducting official city business in accordance with the rules and policies attached hereto as Exhibit A, together with Exhibits A-1 and A-2; and

---

APR 1 1 1989

APR 1 1 1989

89-136 262

BE IT FURTHER RESOLVED by Council of the City of Fresno that Resolution 89-51 and all previously enacted resolutions in conflict with that subject matter addressed in Exhibit A are hereby repealed.

* * * * * * * * * * * * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 11th day of April, 1989.

JACQUELINE L. RYLE
City Clerk

By _____
Deputy

JKK/meb/2807F/40F
03/15/89

EXHIBIT A

The following criteria and policies shall be utilized in regulating the reimbursement to Councilmembers for expenses incurred on City business.

OUT-OF-TOWN TRAVEL REIMBURSEMENT

Criteria: Councilmembers are entitled to receive reimbursement for traveling and other necessary expenses when on official duty. Reimbursement is effected in accordance with the following criteria:

1. Meals. Members of the Council shall be reimbursed for meals pursuant to the provisions of Administrative Manual Section 10-1 applicable to City Employees.

2. Lodging. Members of the Council shall be reimbursed for lodging pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

3. Taxi, limousine and bus fares. Members of the Council shall be reimbursed for taxi, limousine and bus fares pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

4. Tips, gratuities and service fees. Members of the Council shall be reimbursed for tips, gratuities and service fees pursuant to the provisions of the Administrative Manual Section 10-1 applicable to City employees.

5. Registration fees. Members of the Council shall be reimbursed for registration fees pursuant to the provisions of the Administrative Manual Section 10-1 applicable to City employees.

6. Communications. Members of the Council shall be reimbursed for communications pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

7. Parking, garage and toll charges. Members of the Council shall be reimbursed for parking, garage and toll charges pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

8. Laundry and dry cleaning. Members of the Council shall be reimbursed for laundry and dry cleaning pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

9. Other. Members of the Council shall be reimbursed for other expenses pursuant to the provisions of Administrative Manual Section 10-1 applicable to City employees.

If a councilmember stays with a friend or a relative while attending a professional conference or other out-of-town meeting which has a host hotel with stated rates, the councilmember may be reimbursed for taking his/her host to dinner in lieu of lodging cost. The total amount to be reimbursed may not exceed one night's lodging, at the stated hotel rate, per trip. A copy of the conference brochure or page stating the host hotel's rate must be attached to the expense report with a receipt for dinner expenses.

Documentation: A claim for reimbursement must be submitted on Form 57 (attached hereto as Exhibit A-1.)

CAR AND TRAVEL ALLOWANCE

Travel. Councilmembers may be reimbursed for mileage, parking, car rental and related transportation expenses incurred in traveling to and from Council meetings or other official business in the Fresno Metropolitan Area (that area within a fifty mile radius of Fresno City Hall). Such authorized expenses are reimbursable in addition to but not in duplication of, those described under "Out-Of-Town Travel" above. Travel outside a fifty mile radius shall be reimbursed in the same amount as provided in A.M. Section 9-1.1 for employees receiving Category 2 vehicle allowance.

A monthly allowance of up to $300 for the Mayor and $260 for councilmembers may be claimed; however, reimbursement is authorized only for expenses "actually incurred". Consequently the claimant must certify that the amount claimed was actually expended on official City travel during the reporting period. Councilmembers are also cautioned that such payments will be taxed as ordinary income to the extent they are not supported by receipts or mileage logs acceptable to the IRS (Federal regulations currently allow business mileage to be claimed at the rate of 23.5¢ per mile).

Documentation: The monthly expense reimbursement form attached hereto as Exhibit A-2 must be submitted for reimbursement.

GENERAL AND MISCELLANEOUS EXPENSE ALLOWANCE

1. Necessary expenses incurred by councilmembers on official duty.

Criteria: To the extent actually incurred, the mayor may be reimbursed up to $660.00 per month for necessary expenses incurred when on official duty. The mayor pro tempore is authorized up to $220.00 per month and all other councilmembers are authorized up to $165.00 per month each. Such authorized reimbursements are in addition to those expenses described under "Out-of-Town Travel Reimbursement" and "Metropolitan Area Car and Travel Allowance," above, provided that expenses exceeding the monthly maximum cannot be reported and paid in the following month.

Specific entitlements and limitations on such expenses are as follows:

a. Meals. Councilmembers may be reimbursed for non travel-related food and drink expenses if they are reasonably related to Council business. are incurred while a councilmember is officially representing the City, and will result in improved service to the public and more efficient operation of city government.

265

Councilmembers may be reimbursed for food and drink expenses if they find it necessary to eat at a restaurant because of time constraints, distance or other uncontrollable factors associated with their attendance at a Council or other official meeting or function. As to whether councilmembers may be reimbursed for all meals on Council days, consistent with the rule just cited, councilmembers may only be reimbursed for those meal expenses necessarily incurred because of attendance at Council meetings or other official business (e.g., breakfast meetings with constituents to prepare for the Council meeting or otherwise discuss city business). Thus, costs of meals before meetings begin or after meetings adjourn are normally not reimbursable.

The expenses of guests may be reimbursed if the meeting is primarily for the transaction of city business.

The expenses of spouses may be reimbursed if attendance is at an official function as a representative of the city.

Documentation: A claim for reimbursement must include a verified receipt and must state the date, place, business discussed and name of guests, if any. No receipt need be submitted for meals not exceeding those amounts listed above under "Out-of-Town Travel Reimbursement," subsection 1.a. Form 57 (attached hereto as Exhibit A-1) must be completed.

b. Postage. All mailing expenses incurred in the performance of official duties for the benefit of the City will be reimbursed.

Documentation: An itemized statement detailing the types of expenditures incurred (e.g., stamps, address label printing, etc.) must be submitted when a claim is made to the Controller.

c. Telephone. The cost of using a personal phone for official city business is reimbursable to the extent such phone is used for official business. As an alternative, the service charge on a second phone used primarily for official city business may be fully reimbursed.

Documentation: In all cases, claims for reimbursement must include the number of the phone used. In the case of long distance calls, an itemization of the person called, date and actual cost of the call must also be included. In the case of partial use of a personal phone for official business, a statement of the total cost of the phone and an estimate of the percentage of official use involved must be submitted. In the case of a second phone used primarily for official Council use, a statement of the total service charge incurred for the use of such phone must be submitted.

d. Secretarial service. Councilmembers may be reimbursed up to $75.00 per month for the use of private secretaries for official City business, where such services cannot reasonably be performed by the staff secretary furnished by the City.

266

Documentation: Claims for reimbursement must state the name of the secretary, the hours and dates worked, and the cost of such services.

e. Publications. Councilmembers may be reimbursed for the cost of newspapers, magazines and books required to enable them to perform their official duties proficiently.

Documentation: Claims for reimbursement must include a list of the names and costs of the publications.

f. Expenses for which reimbursement is not otherwise specifically provided above. Expenses not otherwise listed above as reimbursable must be expressly approved by Council, such approval to be obtained in advance whenever possible.

As a rule of thumb, reimbursement will not be allowed for expenses not associated with carrying out official City business. For example, expenses associated with the use of a personal computer to compile lists of constituents, record the results of public opinion research, etc., would likely be reimbursable as expenses incident to the councilmember's official function. By analogy, expenses associated with the use of personal computers by a councilmember in his or her campaign endeavors (e.g., preparing precinct lists, voter polls, etc.) would be classified personal nonreimbursable expenses, i.e., those not associated with carrying out official City business.

Expenses that are personal in nature and not specifically reimbursable include:

1) Attendance at charitable or political fund raising events;

2) Stationery;

3) Membership fees or dues in clubs and/or organizations;

4) Relief workers such as substitute teachers or babysitters.

5) Computers, stamps, secretarial services, etc. used for personal endeavors. Any use of City telephones, stationery, xerox, stamps, bulk rates, automobiles, employees, etc. for personal endeavors, including campaigns for re-election to the Council or election to other public office, is illegal and therefore, such expenses are nonreimbursable.

JKK:nfm/2829F
03/15/89