

RESOLUTION NO. 2015-151

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
APPROVING AND ADOPTING AN AMENDED EXPENSE REIMBURSEMENT
POLICY FOR CITY COUNCIL AND REPEALING CURRENT EXPENSE
REIMBURSEMENT AND USE OF PUBLIC RESOURCES POLICY**

WHEREAS, Government Code section 36514.5 provides that city council members may be reimbursed for actual and necessary expenses incurred in the performance of official duties; and

WHEREAS, reimbursement for these expenses is further regulated by provisions set forth in Government Code Sections 53232.2 and 53232.3; and

WHEREAS, on January 27, 2004, the City of Rohnert Park ("City ") adopted Resolution 2004-19, which established a "Policy for Reimbursement of Expenses for City Council Members"; and

WHEREAS, on January 24, 2006, the City adopted Resolution 2006-42, which adopted a Policy for "Expense Reimbursement and Use of Public Resources"; and

WHEREAS, on August 8, 2006, the City adopted Resolution 2006-206, which adopted an "Expense Reimbursement and Use of Public Resources Policy" and repealed Resolutions 2004-019 and 2006-42; and

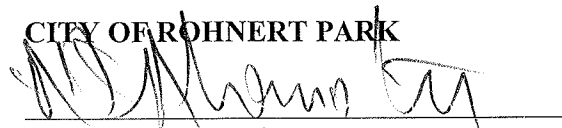
WHEREAS, the City Council wishes to make certain changes and clarifications to the Expense Reimbursement and Use of Public Resources Policy adopted through Resolution 2006-206.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rohnert Park hereby repeals Resolution No. 2006-206; and

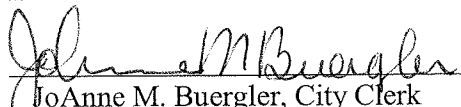
BE IT FURTHER RESOLVED, that the Policy entitled "Expense Reimbursement for City Council," attached as "Exhibit A" to this Resolution, is hereby adopted.

DULY AND REGULARLY ADOPTED this 8th day of September, 2015.

CITY OF ROHNERT PARK


Mayor Amy O. Ahanotu

ATTEST:


JoAnne M. Buergler, City Clerk

Attachment: Exhibit A

CALLINAN: Aye MACKENZIE: Aye STAFFORD: Aye BELFORTE: Aye AHANOTU: Aye
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)



CITY OF ROHNERT PARK

CITY COUNCIL POLICY

SUBJECT/TITLE:	POLICY NO:	DATE APPROVED:	REVISION NUMBER:
EXPENSE REIMBURSEMENT FOR CITY COUNCIL			

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CITY OF ROHNERT PARK CITY COUNCIL POLICY

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EXPENSE REIMBURSEMENT FOR CITY COUNCIL			

1. PURPOSE

To establish City of Rohnert Park ("City") policy and prescribe guidelines related to expenses incurred on behalf of, or reimbursed to, elected City Councilmembers.

2. SCOPE

This policy applies to all elected City Councilmembers.

3. BACKGROUND

Government Code section 36514.5 provides that City Councilmembers may be reimbursed for actual and necessary expenses incurred in the performance of official duties. Assembly Bill 1234, which took effect on January 1, 2006, adds Article 2, 3, commencing with Government Code section 53232, to the Government Code, addressing expense reimbursement to public officials. In addition, City of Rohnert Park Municipal Code Section **2.12.050 – Reimbursement**, provides for reimbursement to councilmembers for actual and necessary expenses incurred during the performance of official City duties.

4. PROVISIONS

The City takes its stewardship over the use of limited public resources seriously and acknowledges that public resources should only be used when there is substantial benefit to the City from those actions. Such benefits include:

1. The opportunity to discuss the community's concerns with state and federal officials;
2. Participating in regional, state and national organizations whose activities affect the City;
3. Attending educational seminars designed to improve officials' skill and information level; and
4. Promoting public service and morale by recognizing such service.

Legislative and other local, regional, state and federal agency business is frequently conducted over meals; sharing a meal with regional, state and federal officials is frequently the best opportunity for a more extensive, focused and uninterrupted communication about the City's policy concerns; and each meal expenditure must comply with the limits and reporting requirements of local, state and federal law.

This policy provides guidance to elected and appointed officials on the use and expenditure of City resources, as well as the standards against which those expenditures will be measured. This policy supplements the definition of actual and necessary expenses for purposes of state laws relating to permissible uses of public resources and supplements the definition of necessary and reasonable expenses for purposes of federal and state income tax law. This policy also applies to any councilmember-related charges made to a City credit card or other line of credit with the exception of expenses incurred for city-related event participation fees, and educational and/or training programs.



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5. AUTHORIZED EXPENSES

1. Examples of Authorized Expenses

City funds, equipment, supplies (including letterhead, note cards, and printer cartridges), and staff time must only be used for authorized City business. Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

- Communicating with representatives of local, regional, state and national government on City adopted policy positions;
- Attending educational seminars designed to improve officials' skill and information levels;
- Participating in local, regional, state and national organizations whose activities affect the City's interests;
- Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
- Attending City events;
- Implementing a City-approved strategy for attracting or retaining businesses to the City typically involving at least one staff member; and
- Other actual and necessary expenses incurred for city-related business.

2. Expenses Requiring City Council Approval

- International and out-of-state travel; and
- Expenses which exceed the annual budget limits established for each City Councilmember.

3. Personal Expenses - Examples of personal expenses that the City will not reimburse include, but are not limited to:

- The personal portion of any trip;
- Political or charitable contributions or events;
- Family expenses, including partner's expenses when accompanying official on agency-related business, as well as children or pet-related expenses;
- Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and /or golf related expenses), or other cultural events;
- Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- Personal losses incurred while on City business.



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6. COST CONTROL

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

- Budgeting Practices** - City will budget an equal amount for each councilmember including the seated mayor. To control costs, a councilmember may not incur costs or receive reimbursements in excess of the budgeted amount. The City Council may increase the budgeted amount for a councilmember during the fiscal year.
- Mayor's Supplemental Budget** - In addition to amounts allocated for each councilmember, the City will budget an equal amount for the mayor serving the first half of the fiscal year and for the mayor serving the second half of the fiscal year. Only the sitting mayor may incur costs or receive reimbursements charged to this respective budget line item.

7. TRANSPORTATION

The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route. Government and group rates must be used when available.

- Airfare** - The City will pay only the costs for the most direct route and least expensive travel necessary to accomplish the purpose of City-related travel. Travelers shall fly coach class on the lowest cost flight/s available at the time travel is needed for the most direct route to the final destination. This could include reasonably scheduled layovers up to 1 and 1/2 hours when in route to the final destination. Any additional cost resulting from deviation from the most direct route will not be reimbursed unless incurred for the benefit of the City, as determined by the Approving Official. Travelers that choose to use their personal frequent flyer miles for City business shall not be reimbursed for the value of the tickets. Only out of pocket costs for City-related air travel will be reimbursed.
- Automobile** - Automobile mileage is reimbursed at Internal Revenue Service rates in effect at the time the expense is incurred. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.
- Car Rental** - Rental cars are only allowed for business reasons (i.e., travel to and from a hotel and a conference if this service is not included in the event/conference registration) and with prior approval by the Finance Director. Cars rentals shall only be approved, if other methods of ground transportation (such as shuttles or taxis) are more expensive during the stay at the destination. If a rental car is approved, it is the traveler's responsibility to only rent a Compact, or equivalent rental car, and to reduce



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the total cost of the car rental by reducing optional costs such as vehicle options and refueling charges. Traveler shall refuel the rental car prior to returning the rental car if additional charges apply for refueling. A rental car level above Compact requires prior approval by the Finance Director and is only authorized for group travel.

Car insurance for rental cars is not necessary if the rental car is being used for City business. The City, as the employer, bears responsibility for damage or injury arising from a traveler's use of the rented vehicle, provided that the use is within the scope and course of their employment. Presently the City covers this responsibility through self-insurance.

When travelers on City business are renting vehicles and use the rental car for personal transportation, any liability arising from personal use will be the responsibility of the traveler. Because of this liability, the traveler may purchase additional insurance coverage, but it will be at the traveler's sole expense (i.e., non-reimbursable by the City).

4. **Taxis /Shuttles** - Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal to or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

8. LODGING

Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If group rates are not available, reimbursement shall not exceed available government rates established at time of travel. If government rates are not available, reimbursement for lodging expense shall not exceed 150% of the GSA per diem limits (see www.gsa.gov)

9. MEALS

Meal expenses and associated gratuities will be reimbursed at the rates specified in City Administrative Policy 128.8 – Travel/Expense Policy (meals).

10. TELEPHONE/FAX/CELLULAR

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. As necessary, officials will be provided a City-owned fax machine and any other equipment as the full City Council determines necessary to use in the conduct of its official business.



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11. AIRPORT PARKING

Long-term parking, as opposed to short-term parking, must be used for travel exceeding 24 hours.

12. OTHER EXPENSES

1. **Baggage Handling Fees** – Baggage handling fees are reimbursable up to \$1 per bag and up to 15 percent for associated gratuities.
2. **Outside Agency Reimbursement** - Expenses for which City Councilmembers receive reimbursement from another agency are not reimbursable by the City.
3. **Parking Fees** - Parking fees for City-related business and associated activities will be reimbursed.
4. **Spreckels Performing Arts Center** – Each official shall be issued one complimentary ticket for each performance at the Spreckels Performing Arts Center.

13. CASH ADVANCES

Cash advances are prohibited by the City.

14. CREDIT CARD USE

The City does not issue credit cards to individual office holders but does have an agency credit card for selected City expenses. City office holders may request City administrative support staff to use the City's credit card for such purposes as purchasing airline tickets and making hotel reservations. In compliance with this policy, receipts documenting expenses incurred on the City credit card must be submitted to the Finance Department by the cardholder when received.

City credit cards may not be used for personal expenses, even if the official subsequently reimburses the City. Cash advances on credit cards are not permitted.

15. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINE

All Councilmember reimbursement requests must be submitted on an expense report form provided by the City. This form shall include the following advisory:

"All expenses reported on this form must comply with the City's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the City's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability."



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Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.

Officials must submit their expense reports within 30 days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

16. AUDITS OF EXPENSE REPORTS

All expenses are subject to policy compliance verification.

17. REPORTS TO GOVERNING BOARD

Each Councilmember shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body (GC Section 53232.3(d)). Such reports shall be made under the Council Committee/Liaison/Other Reports section of City Council meeting agendas. If multiple officials attended, a joint report may be made. In addition, staff shall submit Council expense summary reports for acceptance by the Council on a quarterly basis.

18. COMPLIANCE WITH LAWS

City officials should keep in mind that some expenses may be subject to reporting under the Political Reform Act and other laws. All documents related to reimbursable agency expenditures are public records subject to disclosure under the Public Records Act (Chapter 3.5 commencing with Section 6250 of Division 7, Title 1).

19. VIOLATION OF THIS POLICY

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the City reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$2,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

APPENDIX

1. Policy 128.8 – City of Rohnert Park Travel/Expense Policy (meals)



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SUBJECT/TITLE:	POLICY NO:	DATE APPROVED:	REVISION NUMBER:
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APPROVED BY:	AUTHORIZED BY:
<input type="checkbox"/> MINUTE ORDER DATE: _____ <input type="checkbox"/> RESOLUTION NO. _____ <input type="checkbox"/> MINUTE ORDER DATE: _____	Sign: _____ Mayor Date: _____

DRAFT

(Attachment 5)

CITY OF ROHNERT PARK TRAVEL/EXPENSE POLICY

PURPOSE

The purpose of this policy is to establish guidelines for the expenditure of public funds for authorizing attendance, travel and reimbursement of expenses for City employees, attending conferences, training, meetings and other City related business. Council Members, Commissioners and Board Members, Contract Employees and Consultants are not covered under this policy.

Business travel is defined as authorized attendance at conferences, meetings and seminars or authorized travel for any other purpose in connection with official City responsibilities. Business travel includes day trips and trips requiring one or more overnight stays.

GENERAL

The City of Rohnert Park encourages and promotes training and education of its staff. However, personal business should not be mixed with official business if it will cost the City anything in dollars and lost time, or if it will harm the City's interests in any way. This policy assumes mutual trust between the City and its employees.

These guidelines are not intended to address every issue, exception or contingency that may arise in the course of City travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the City's resources. Many of these guidelines simply reaffirm values in judgment that we already practice.

POLICY

This policy is to assure that City employees adhere to procedures when arranging travel, lodging, meals and other expenses. The City expects to pay all reasonable expenses incurred for travel, conferences, meetings and meals as a result of conducting authorized City business. This policy also assures that City employees will receive advances/reimbursements in a timely manner.

Travel and Authorization: Travel is distinguished between local and overnight. Funds must have been approved in the adopted budget for both. Local travel must be completed within one day and only automobile travel is authorized for these trips unless previously noted in the budget. (The City's Vehicle Use Policy outlines the guidelines for all vehicle use for conducting City business.)

Each Department Head shall be held responsible and accountable for the interpretation and administration of the Travel and Expense policy within his/her department. Department Heads will be expected to consult with the Director of Administrative Services and/or the City Manager on any questions related to this policy. An individual may not authorize or approve

reimbursement for his/her travel; claim forms/expense reports must be approved by the individual's supervisor.

Overnight travel by a Department Head must be approved in advance by the City Manager. All temporary employees, contract employees or consultants must receive express authorization in advance from the City Manager for all travel and conferences. The City Manager may authorize the request subject to his/her discretion and subject to City Council approval.

Travel and meeting expenses are not intended for reimbursement of meals for departmental meetings, which are attended by City staff only, especially when a meeting can be scheduled during normal business hours.

Travel Arrangements: Travel arrangements shall be made as far in advance as possible to obtain the best possible fares and rates. If travel arrangements must be cancelled for any reason, the person who made the arrangements shall cancel them in sufficient time to prevent the City from incurring unnecessary costs.

If travel involves the purchase of airline tickets, all arrangements must be made through the City Manager's office. Cooperative purchase agreements will be utilized in the purchase of tickets whenever feasible, price and other factors considered. If necessary, the City will contract with a local travel agent chosen through a competitive bid process.

Any discount coupons, frequent flyer miles, etc., are the property of the City of Rohnert Park and should be surrendered upon return to the City.

Transportation: Travelers shall use whatever mode of transportation is the most logical and overall least expensive. These guidelines do not require you to take a bus, stay in a cheap motel or eat at only fast food restaurants. A bus or train may cost less than a plane, but the added time away from work can make this slower option more expensive to the City overall.

You are responsible for exercising good judgment in requesting, arranging and making a trip. If an employee elects to use a mode of transportation other than the most logical and overall least expensive, the City will pay only the cost of the most logical and overall least expensive. The difference between the selected mode and the overall least expensive mode shall be considered the employee's personal expense; and any additional lodging and meal expenses resulting from the employee's selection shall be also paid by the employee. In addition, the employee shall charge any additional time spent in route during normal work hours to vacation or a similar leave. This paragraph does not apply to special accommodations made to qualified employees under the American with Disabilities Act provided that the alternate mode of transportation is approved in advance by the Department Head or City Manager.

If the most logical and overall least expensive mode of transportation is determined to be a City vehicle or the traveler's private vehicle, the traveler shall comply with the City's Vehicle Use Policy. Employees will be compensated for the use of their private vehicle at the current IRS standard mileage rate. The Employees mileage shall be calculated from their designated work

(Attachment 5)

site to the destination. The Employees who receive a car allowance will be compensated at the current IRS standard mileage rate for all miles in excess of 75 miles in a single roundtrip.

To drive a privately owned vehicle on City business you must:

- Possess a valid California Driver's License
- Carry liability insurance limits requested by the City's Risk Management Manual
- Realize that any damage to the car, needed service or repair occurring on the trip will be your responsibility.

The City will pay all expenses, such as bridge tolls and parking fees, incurred on City business.

Air travel on City business should be coach class. Take advantage of lower airfares by booking flights as early as possible. You may sometimes avoid higher airfare by staying over a Saturday night. In some instances, an extra night in a hotel/motel can be much less than the added cost of the airfare.

Department Heads may consider taking different flights in case an emergency may occur in flight. A generally accepted rule is to have no more than two members on the same flight, if there is a strong possibility of danger while traveling.

Lodging: The City will pay lodging expenses for City employees during business travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the employee would have to travel at unreasonable early or late hours to reach his/her destination. Such overnight stays shall be preauthorized by the Department Head or City Manager.

Employees shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will only pay for standard single rooms for individual employees. Single standard rooms at conference, government or corporate rates shall be requested. Also, when making reservations, be sure to ask about local transient occupancy tax (TOT): some cities exempt travelers on City business, some do not.

The City will pay for a double room only if two employees share a room. If a double room is requested by an employee because he/she is accompanied by family members or guests, the difference between the single and double room rate shall be considered the employee's personal expense.

Employees shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the employee's personal expense unless failure to cancel the reservation was due to circumstances beyond the employee's control.

Meals: City will pay for an employee's meals during business travel and incidental expenses (including snacks, tips and non-business telephone calls, etc. at a rate of \$60.00 per day.)

(Attachment 5)

The following per diem amounts (including beverages, taxes and gratuities) are allowed for meals:

Breakfast	\$12.00
Lunch	\$18.00
Dinner	\$25.00
Incidental	<u>\$ 5.00</u>
Total Per Diem	\$60.00

Because of reimbursement limitations by other agencies (such as P.O.S.T.) or other budget constraints, Department Head or the City Manager may authorize lower meal allowances. Any reimbursements exceeding these allowances require approval by the Department Head or City Manager,

In calculating meal allowances for partial days, the following guidelines should be used:

Departure

- If you depart after 8:00 a.m., you may not claim meal for breakfast allowance for that day.
- If you depart after 2:00 p.m., you may not claim meal for breakfast and lunch allowance for that day.
- If you depart after 8:00 p.m., you may not claim all meal allowances for that day.

Return

- If you return after 8:00 p.m., you may claim the full per diem meal allowance for that day.
- If you return between 2:00 p.m. and 8:00 p.m., you may claim the breakfast and lunch allowance.
- If you return between 8:00 a.m. and 2:00 p.m., you may claim the breakfast allowance.

General

- If meals are provided without charge at a meeting or while in transit (meals served on a plane, for example), appropriate deductions must be made from the per diem meal allowance.

Alcoholic Beverages: City funds should not be used to purchase alcohol or reimburse employees for alcohol related costs. The City Manager may approve exceptions to this policy on a case-by-case basis for special receptions or other unique circumstances. This discretion applies primarily to non-travel related expenditures such as special receptions and not routine travel or meetings by City employees.

Spouses and Guests: Spouses and guests are welcome to accompany you on City travel and at conferences, seminars and meetings. However, any additional costs associated with the participation of your spouse or other guests are your responsibility.

Guests as passengers in City vehicles: Due to liability concerns, non-City employees should not ride as passengers in City vehicles when it is not directly related to City business. However, Department Heads or the City Manager may approve exceptions on a case-by-case basis, subject to review by the Risk Manager.

Unauthorized Expenses: Items of a personal nature are not reimbursable including: movies, entertainment, premium television services, alcoholic beverages, dry-cleaning, spas, gyms, barber/hairdresser, magazines, shoe shines, travel insurance, purchase of clothing or toiletries, loss of tickets, fines or traffic violations, excess baggage costs, spouse and/or guests accommodations, repairs to personal vehicles, office equipment and other items of personal nature. Optional tours, banquets or other activities not related towards professional advancement offered through the conference, but at an additional cost to registration, are solely at the discretion of the employee and will be considered as a personal expense.

If unauthorized expenses have been paid by the City by credit card, cash advance or petty cash, the employee will be responsible for reimbursement within 10 days to the City.

Accounting for Expenses: When you return from your trip or official function, a final accounting of all expenses must be approved by your Department Head or City Manager and submitted to the Finance Department within ten (10) working days. An expense report is required in all cases with all required receipts attached.

Payment for allowable travel expenses may be in the form of prepayment by City check, City credit card payment, travel advances in an amount equal to estimated expenses and/or out-of-pocket payments by the employee.

Any unused amount of travel advance shall be returned to the City. Non-allowable expenses shall be deducted from any reimbursement due to the employee for out-of-pocket expenses.

Discretion: This policy does not claim to have addressed all contingencies and conditions. Expenses will be reviewed for reasonableness based on price differentials in different cities. Any necessary and reasonable expense that may from time-to-time be justified due to circumstances or opportunities for the City, will be honored upon approval by the Department or the City Manager. Those expenses will be reimbursed to the traveler with adequate documentation and justification. Unnecessary or exorbitant expenses will be disallowed.

Original receipts and copies of the conference schedule will be required to substantiate ALL expenses. No reimbursement will be granted without a receipt or outside the 10-day submittal restriction.