

# City Council Protocols

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## **Protocol Amendments**

**Resolution 198-06 (CM) on September 12, 2006**, Protocols were re-adopted and reaffirmed.

**Resolution No. 161-09 (CM) on August 11, 2009**, Protocols were re-adopted and reaffirmed to amend the section pertaining to City-Issued Cell Phones, Cell Phone and Dedicated Landline Reimbursement Allocations and the section pertaining to Training, Conference and Meeting Reimbursements of Part III -Use of City Resources and Staff.

**Resolution No. 192-10 (CM) on December 14, 2010**, amending the section pertaining to City-Issued Cell Phones, Cell Phone and Dedicated Landline Reimbursement Allocations of Part III - Use of City Resources and Staff.

**Resolution No. 39-13 (CM) on March 26, 2013**, amending the section for Use of Car for Meetings to allow for mileage reimbursement for Council Members for travel outside of City limits while on City business of Part III -Use of City Resources and Staff.

**Resolution No. 143-14 (CM) on October 14, 2014**, amending the section pertaining to City Council Operational Matters: Contents of City Council Agenda explaining how members of the Council may place items on the Agenda.

## **Introduction**

The City of Watsonville has prepared its own City Council Protocols to document accepted practices and clarifying expectations. Through agreement of the City Council to be bound by these practices, administration of City Council affairs is greatly enhanced and made more efficient. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide City Council Members in their actions.

## **Part I - Roles of City Council and Staff**

### **Mayor Proclamations**

Ceremonial proclamations are not statements of policy but a manner in which the City can recognize an event (e.g. Recycling Week) or an individual. As part of his/her ceremonial responsibilities, the Mayor is charged with administration of proclamations at his/her discretion. Individual Council members do not issue proclamations. City Council members or staff desiring that a proclamation be prepared should contact the Mayor or the City Manager's staff. In order to provide sufficient lead time to create a proclamation the staff of the City Manager's office shall be given one week's notice prior to the time when the proclamation is requested. In emergency situations when it is not possible to provide one week's notice, the request for a proclamation shall be given directly to the City Manager.

### **Certificates**

At the discretion of a City Council member, certificates shall be issued to individuals whose meritorious achievements and/or service warrants recognition. In order to provide sufficient lead time to create such certificates, the staff of the City Manager's office shall normally be given one week's notice prior to the time when the certificate is desired. In emergency situations when it is not possible to provide one week's notice, the request for the certificate shall be given directly to the City Manager.

### **City Council Majority Sets Policy**

It is important to note that the City Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Mayor Pro Tempore have some additional ceremonial and administrative responsibilities, in the establishment of policies, voting and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the City Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the City Council to a course of action. In turn, it is staff's responsibility to ensure the policy of the City Council is upheld. Actions of staff to pursue the

policy direction established by a majority of the City Council does not reflect any bias against City Council members who held a minority opinion on an issue.

### **Requests for Information and Staff Assistance by City Council Members**

Requests by City Council Members and Compliance with Non-interference Provisions of City Charter. It is the intent of staff to respond to requests by City Council Members for information and for action in a timely and complete manner while complying with the letter and spirit of the City Charter on these matters. For staff to carry out this responsibility, however, City Council members must avoid intrusion into those areas, which are the responsibility of staff. In accordance with the City Charter, individual City Council members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities. This is necessary to protect staff from undue influence and pressure from individual City Council Members, and to allow staff to execute priorities given by management and the City Council as a whole. The full City Council retains the power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, work loads and schedules, departmental priorities and the performance of City business.

■ ***Requests by City Council Members and Staff Workload.*** City staff will make every effort to respond in a timely and professional manner to all requests made by individual City Council members for information or assistance, provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

■ ***Requests for Information.*** It is the intent of staff to ensure that City Council Members have free access to information from the City and to ensure that such information is communicated completely to those making the request. Requests for information may be made either to the City Manager or directly to any Department Head.

■ ***Access to Information.*** There are limited restrictions when information cannot be provided. Draft documents (e.g. staff reports in progress, administrative draft EIRs, etc.) that are under review are not available for release until complete and after review by City management. In addition, there are legal restrictions on the City's ability to release certain personnel information, even to members of the City Council. Certain aspects of Police Department affairs (access to restricted or confidential information related to crimes) may not be available to members of the City Council. Confidential personnel information also has restrictions on its ability to be released.

■ ***Requests by City Council Members for Staff Assistance.*** Requests by City Council Members for staff assistance (e.g. code enforcement, pot holes, research, etc.) should be made directly to the City Manager.

## **City Manager Code of Ethics**

The City Manager is subject to a professional Code of Ethics from the International City Management Association (ICMA). It should be noted that this Code binds the City Manager to certain practices which are designed to ensure actions are in support of a City's best interests. Tenet 7 of the ICMA Code of Ethics states that a City Manager shall refrain from all political activities which undermine public confidence in professional administrators. It further states that a City Manager shall refrain from participation in the election of the members of the employing legislative body. Violations of such standards can result in censure by the professional association.

## **Restriction on Political Involvement by Staff**

Local governments are non-partisan entities. Reflected within the Council-Manager form of government is a principal of professional staff which formulates recommendations in compliance with City Council policy and for the good of the community and is not influenced by political factors.

By working for the City, staff members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement.

Staff members have no restrictions while off the job except that no staff member may participate in campaign or other activities while in a City uniform. No participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. For example, posing for a promotional photograph for a candidate for local office while in uniform is illegal and inappropriate. The support of the City Council in these matters is requested.

A City Council member asking staff to sign petitions or similar support can create an awkward situation. While there are laws which preserve the rights of staff to be involved in the political process, City Council Members, as well as staff, should be aware of the awkwardness of work relations that might occur in later City Council-Staff work relations.

## **Part II - City Council Operational Matters**

### **Contents of City Council Agenda**

#### *Placing Items on Agenda*

A. *City Council:* A City Council member may request orally or in writing, at the time set forth in WMC 2-1.110, or any other time that a particular item be placed on a particular future agenda. Staff will assist in the preparation of a staff report if necessary. The Mayor, in consultation with the City Manager, shall decide on which agenda the item will be placed.

*B. Members of the Public:* A member of the public may request an item be placed on a future agenda during public comment or through other communication with City Council members. Such request may be granted by the Mayor or City Manager.

*C. Request Denials.* If a request is denied, a Council Member may later present the item to the Council at a Council meeting as provided by subdivision (h) of Section 2-1.110 of the Municipal Code.

*D. Emergency and Non-Agendized items:* Emergency and non-agendized items may be added to an agenda only upon a determination by a majority vote of the legislative body (GC 54954.1) that an emergency as defined in GC 54956.5 exists. Emergencies are only those matters related to work stoppages, crippling activity, activity that severely impairs public health, safety, crippling disasters, mass destruction, terrorist acts, or threatened terrorist activity that poses immediate and significant peril.

*E. Agenda Review Committee:* An agenda review committee shall meet at least five days before any City Council meeting. The agenda review committee shall be comprised of the Mayor, two City Council members (on a rotating basis), the City Manager, and the City Clerk. The role of the committee is to advise the Mayor and the City Manager on the content and order of the upcoming Agenda.

### **Closed Session Confidentiality**

Subdivision (a) of Government Code Section 54963 provides that it is against the law for a person to disclose confidential information that has been acquired by being present in most closed sessions authorized under the Brown Act, unless the legislative body authorizes disclosure of the confidential information. In addition, City Council Members recognize that they have a fiduciary duty to the City of Watsonville and its residents. The disclosure of confidential closed session information violates the fiduciary duty when information is released that potentially places the City at a disadvantage in matters such as business, insurance and labor relations issues. It could also subject the member to investigation by the Santa Cruz County Grand Jury.

City Council Members recognize that the chief function of local government at all times is to serve the best interests of all the people. Maintaining confidentiality of closed session information aids in ensuring that all the people are served by placing the City in the best possible strategic position in respect to business and contract matters.

It is the intent of this section that City Council Members comply with closed session confidentiality rules not only for legal and fiduciary reasons, but also to be a model of honor and integrity. City Council Members are dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of elected officials, other officials and staff, and of the public. This honor and integrity comes in part from complying with these rules of confidentiality as related to closed session information.

## **Written Correspondence from City Council Members**

*City Council Correspondence* - Copies of all City Council members' correspondence bearing City letterhead shall be placed by the City Clerk on a clipboard placed in the office provided for the City

Council. City Council members should remember that any correspondence sent out using City resources such as official City letterhead, typing, staff support, and/or postage become part of the official record and therefore may be accessed by any member of the public by a request of the City Clerk's Office.

Further, City Council members should carefully distinguish within the body of the letter the member's personal views on a matter from views that are held by the City Council as a governing body.

## **City Council Ethics Training**

All City Council Members shall receive two hours of training in the general ethics principles and ethic laws relevant to public service within one year of election or appointment to the City Council and at least once every two years thereafter, pursuant to Government Code Section 53234 through 53235.2.

This policy shall also apply to all staff members that the City Council Members designates and to members of all commissions, committees and other bodies that are subject to the Ralph M Brown Open Meeting Act.

All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online City Council Members shall obtain proof of participation after completing the ethics training. City staff shall maintain records indicating both the dates that City Council Members completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after City Council Members receive the training, and are public records subject to disclosure under the California Public Records Act.

City staff shall provide City Council with information on available training that meets the requirements of this policy at least once every year.

Ethics training taken by a City Council Member will also satisfy their requirements for the same time period of any other board of another agency that the member serves on.

## **City Council Member Participation in Committees, Task Forces and Forums**

The City Council receives numerous requests for participation on outside committees, task forces and forums. The City Council at its own discretion may decide to limit its participation in such activities. The City Council shall decide in January of each year which committees, task forces and forums in which the City shall participate. The Mayor shall appoint City Council members to serve on all such committees, task forces and forums.

## **Strategic Plan Process**

Each year the City Manager's Office shall facilitate a strategic planning process involving the City Council. This process shall provide the City Council with the opportunity to provide policy direction to the City staff regarding the direction of the City and the programs to which the City will devote its resources. Staff will then develop a priority list based upon the desires of the City Council. This "Action Plan" shall serve as a guide by which staff will provide funding and staff assistance.

## **Part III - Use of City Resources and Staff**

### **Business Equipment and Supplies**

The City has in the past followed a practice of providing a modest amount of equipment and supplies for City Council members for the exclusive purpose of conducting the business of the City. Requests for such equipment and supplies shall be made to the Mayor or City Manager. If the item is not approved, the request for the item may be placed on the City Council agenda for discussion.

All equipment shall be returned to the City at the end of the City Council member's term of office.

### **Training, Conference and Meeting Reimbursement**

■ **Statement** - The City Council supports attendance at training workshops, conferences and meetings which enhance the knowledge and skill level of City Council Members in their official duties. The City Council further supports attendance at events for the purpose of representing the City and/or accruing a benefit to the City. In addition, at times City Council Members are called upon to represent the City at a meeting of a Federal, State, local or other governmental body. It is the policy of the City Council to provide reasonable training workshops, conference and meeting reimbursement which is convenient to City Council Members and which conforms with prudent administrative and fiscal practices. In all cases, the most fiscally prudent option will be selected when approving expense reimbursement. Factors to be considered include travel time, expense of trip by vehicle versus air, and availability of lodging. At the conclusion of the event, a brief report on the conference or seminar attended at the expense of the City must be presented to the



City Council at the next regularly scheduled Council Meeting. At the conclusion of the event, a brief report on the conference or seminar attended at the expense of the City must be presented to the City Council at the next regularly scheduled Council Meeting.

This procedure sets forth the guidelines for authorization for attendance at events and for reimbursement of meals, lodging, and travel allowance.

***Guidelines for Authorization*** - Generally, the following events will be authorized:

- (1) League of California Cities meetings and those of its committees or departments;
- (2) Committees or assignments to which the City Council by motion or resolution has appointed a City Council Member;
- (3) Educational conferences or seminars which will assist the City Council Member in carrying out his/her duties as a member of the City Council,; including, but not limited to ethics training required by Government Code Section 53234;
- (4) Local civic meetings or seminars which accrues to the benefit of the City (i.e. chamber of commerce meeting);
- (5) Attendance at meetings when requested by the Mayor or City Manager to officially represent the City before a Federal, State, local or other governmental body;
- (6) All other travel, conference and meeting reimbursements that are not listed above must be approved by the City Council, in a public meeting, before the expense is incurred.

The following events and costs are not authorized and expenses related to these events are not eligible for reimbursement:

- (1) Political events, including but not limited to political fund raising events and partisan political events or meetings;
- (2) Meals or other expenses related to private meetings or other private events;
- (3) Neighborhood or constituent meetings;
- (4) Recreational events;
- (5) Charitable donations;
- (6) Personal expenses incurred as part of an event, such as family expenses (spouse, children, pet), entertainment expenses (theater, movies, sporting), non-mileage automobile expenses (repairs, traffic citations, insurance) and personal portion of a trip or event;
- (7) Any other event which is not a reimbursable expense under the City's Administrative Rules and Regulations.

***Procedure***

**A. *Approval of Expense Reimbursement.*** Expense claims or requests for cash advances will be submitted on the standard City Training and Conference Expense Claim Form and must be approved by signature of the Mayor and City Manager in accordance with the above “Guidelines for Authorization” section and the City’s Administrative Rules and Regulations.

Any unused advances must be returned to the City, along with claim form and receipts documenting how the advance was used in compliance with this policy.

**B. *Resolution of Disagreements.*** Where there is a disagreement between the Mayor and/or the City Manager and the requesting City Council Member regarding a request for reimbursement for expenses or regarding a request for authorization to attend an event, the request may be forwarded to the City Council for consideration.

**C. *Pre-Authorization Not Required.*** Pre-authorization for training, conference and meeting events which meet the above “Guidelines for Authorization” section is not required if all expenses related to the event will total \$100 or less.

**D. *Pre-Authorization Required.*** There are two required levels of pre-authorization for training workshops, conference and meeting events if expenses related to the event will total over \$100.

(1) *Mayor Pre-Authorization.* For events with a total expected cost of \$101 to \$500, the Mayor or Mayor Pro Tempore shall review and determine if the training, conference or meeting attendance is authorized under the “Guidelines for Authorization” section listed above.

(2) *City Council Pre-Authorization.* City Council pre-authorization is required for all training, conference and meeting events that require reimbursement of expenses that have a total expected reimbursement expense of more than \$500 per event. The only exception to the requirement for City Council pre-authorization is the Annual League of California Cities Conference.

**E. *City Council Reimbursement for Meals.*** The direct or per diem method of reimbursement – are available for meal reimbursements. All reimbursements will be administered in accordance with the City’s Administrative Rules and Regulations.

**F. *Lodging.*** Lodging expenses will be limited and reimbursed in accordance with the City’s Administrative Rules and Regulations.

**G. Cancellations.** If a City Council Member signs up for a conference or other event, thereby causing the City to expend and commit funds, that member is obligated to attend such event. Should the City Council Member fail to attend the event, that City Council Member shall reimburse the City for all non-refundable costs from their own personal resources. This provision shall also apply to City-purchased tables for civic events at community and business dinners. Exceptions to this reimbursement rule shall be granted by the Mayor for medical emergencies and other serious family emergencies.

### **Allocation Limit**

Each City Council Member is allocated \$2,500 per fiscal year for training, conference and meeting expenses which meet guidelines of this policy. This allocation amount is for each individual City Council Member and amounts may be transferred to another City Council Member and/or Commission Member (for Commission Members the transferred allocation shall be applied only to training workshops). Allocation amounts may not be used for expenses outside of these guidelines including but not limited to office supplies, equipment or supplies for neighborhood meetings. Balances remaining from the \$2,500 allocation at the end of the fiscal year will not carry-over to the next fiscal year.

An exception to the \$2,500 allocation limit is for expenses related to the attendance at a meeting to officially represent the City of Watsonville before a Federal, State, local or other governmental body at the request of the Mayor or City Manager. In this case expenses will not be charged against the City Council Member's \$2,500 allocation limit.

City-purchased tables for civic events such as Chambers of Commerce Annual Awards Dinners, Excellence in Business Luncheons, Annual Ag History Dinner and other such City-sponsored events shall be provided to City Council Members and will not be charged against the City Council Member's \$2,500 allocation limit.

### **Use of Car for Meetings**

Mileage reimbursement shall be provided for City Council members driving a personal vehicle to conduct official City business outside of City limits. The use of a personal vehicle for any official City business within City limits will not be eligible for mileage reimbursement.

Mileage will be reimbursed at the current IRS Rate and is paid out of the council members individual travel expense funds. It is the responsibility of the City Council member utilizing his/her privately owned vehicle to maintain accurate records of the purpose and extent of his/her travel, and to make substantiated claims for reimbursement per the City's reimbursement policy. The vehicle and/or mileage allowance is intended to cover the Council member's cost of operating the vehicle on City business, including the cost of insurance. Further, all operating expenses of the privately owned vehicles are to be borne by the City Council member. This includes, but is not limited to, gasoline, oil, maintenance, wear and tear, depreciation and insurance.

In order to receive reimbursement for mileage traveled outside of City limits, it is the responsibility of the Council Member to submit a mileage reimbursement form (sample attached) within 60 days of the date of travel. Every reimbursable mileage entry must contain the date, beginning and ending odometer reading and the purpose of the travel.

City Council members using their personal vehicles for City business should have a current and valid California Drivers License and personal auto insurance. Council members are also advised to review their insurance policy for coverage of such use. All Federal, State and local laws are to be observed including but not limited to, the State requirement starting July 1, 2008 that makes it an infraction to drive a motor vehicle while using a wireless telephone, unless that telephone is designed and configured to allow hands-free listening and talking operation, and is used in that manner while driving.

The City is not liable for any damage to a privately owned vehicle. It is the responsibility of the City Council Member operating the vehicle to notify the Department of Motor Vehicles, and their insurance company in the case of any accident. If a Council Member is responsible for an accident while driving a personally owned vehicle, his/her own automobile insurance premiums may be increased.

In addition, consistent with the Administrative Rules, City Council members shall consider all forms of travel to determine the most cost efficient and effective mode of travel. When the form of travel is by City vehicle, City Council members must be in direct contact with the City Manager for approval and will be asked to fill out a Vehicle Release Form. City vehicles may only be used official City business and may not be kept overnight or on weekends without prior approval from the City Manager. If travel is in connection with *Guidelines for Authorization* above or other approved event, Council Members shall use government or group rates offered by the provider of transportation when available.

### **Staff Support**

The City Manager's Office will coordinate the typing of correspondence requested by individual City Council members. Generally, one weeks advance notice shall be provided prior to the need for such staff support. In the event the request for staff support involves significant staff time and effort, the City Manager will determine whether providing such staff support is appropriate given existing workload.

### **Tickets to City Sponsored Events**

One ticket for each City Council Member will be made available for events sponsored by the City. Departments hosting City events will coordinate the distribution of tickets to City Council members with the City Manager's Office. The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency.

## **Access to Meeting Rooms**

City Council members may have access to City meeting rooms by contacting staff in the City Manager's Office. Such access must be for the purpose of conducting the business of the City. Use of meeting rooms shall not be for the purpose of conducting campaigns or other political activity. City Council members should contact staff for meeting room reservations as soon as practicable as such meeting rooms are often pre-reserved by members of the community. Requests to use accommodations other than City facilities must be approved by the City Manager.

## **District Meetings**

Each City Council Member may hold one district meeting per year which requires City resources and staff support. Such district meeting shall be organized only after consultation with the City Manager.

City Council Members may not call district meetings that require City resources or staff support without City Manager approval. The City Manager and City staff may make recommendations on agenda items that may be of interest to residents at these district meetings. Staff support at these district meetings shall be limited to staff presentations and normal preparation time prior to the meeting. City resources shall be limited to use of existing City-owned facilities and normal handout literature.

Nothing in this protocol shall prevent a City Council Member from holding district meetings which do not involve City resources or staff support. City-owned facilities may be used to hold the meeting upon prior request and based on availability. It would be beneficial if the City Council Member holding such meeting provide prior written notice of the meeting to the City Manager and City Council members as a courtesy so that they may be apprised of events which have City-wide interest.

## **Special District Meetings**

Special district meetings with City staff support may be held when approved by the City Manager as being for specific purposes directly related to the City's mission which require the attention of district residents. Examples of special district meetings include meetings to discuss the formation of proposed assessment districts and special meetings to discuss high crime areas.

## **City-Wide Meetings**

City Council members may not call city-wide meetings which require City resources or staff support. City-wide meetings may only be called by the full City Council. Nothing in this protocol shall prevent a City Council Member from holding city-wide meetings which do not involve City resources or staff support. City-owned facilities may be used to hold the meeting

upon prior request and based on availability.

### **Commission Appointments and Attendance**

It is the policy of the City Council to not appoint close relatives of City Council Members to boards and commissions. Close relatives shall be defined as being within the second degree of consanguinity (i.e. parent, brother, sister, children, grandchildren, grandparents, spouses and/or domestic partners).

If a member of a board or commission is absent from two (2) consecutive regular meetings of such board or commission, unless excused by motion in such board or commission's official minutes, the board or commission office shall become vacant and shall be so declared by City Council resolution. Additionally, the City Council may declare by resolution a board or commission office vacant if a board or commission member has two (2) unexcused absences within a one year period of time.

### **City-Issued Cell Phones and Cell Phone Reimbursement Allocations**

Each City Council Member shall be provided the option of either receiving a City-issued cell phone with a service plan, or a cell phone reimbursement allocation for the use of a personal cell phone or a dedicated landline for City business.

***Cell Phone Reimbursement Allocation Option.*** In lieu of being issued a City-issued cell phone or a dedicated landline reimbursement allocation, City Council Members may elect to receive a cell phone reimbursement allocation. As is the case with other phones, cell phone numbers under the reimbursement allocation option shall be distributed to conduct normal City business. If a City Council Member selects the cell phone reimbursement allocation option, the City Council Member must evidence primary use of a personal cell phone with a service plan or have been issued a cell phone from an outside source such as an employer. To qualify for the reimbursement allocation, the City Council Member must incur a charge for the personal cell phone or cell phone issued by the outside source. The rate of the cell phone reimbursement allocation shall be up to a maximum of \$45 per month.

The rate may be adjusted periodically by the City Manager based upon the cost of service plans that represent the best value and meet the business needs of the City. The City will not be responsible for purchasing or replacing the cell phone or any accessories that are purchased or become damaged. The cost for accessories and the normal phone replacement cycle costs are built into the monthly reimbursement allocation. The reimbursement allocation amount is not intended to cover the complete cost of the phone, accessories or plan. Only that portion of those costs that was estimated across the board to be used for business purposes and which keeps the plan in compliance with IRS regulations. City Council Members are encouraged to get details from their store/carrier about an extended warranty.

City Council Members are responsible for ensuring that their cellular telephone is in working

order and that their cellular phone number has an 831 area code. City Council Members understand that the City is not responsible for any cellular telephone contract and/or any financial obligation entered into by the employee. The contract is the personal responsibility of the employee.

In order to receive the cell phone reimbursement allocation, it is the responsibility of the City Council Member to submit initially a blue claim form with the face sheet of a cell phone bill that reflects the cost of the cell phone, the cell phone number, account name and billing address. In addition, they are to provide periodic copies (at least twice per year) of their bill with the same information as initially requested to document continued use of their cellular account. The City Council Member shall then be reimbursed the monthly cost of the cell phone up to the reimbursement allocation limit. The reimbursement allocation is a taxable allowance pursuant to the IRS regulations. Should the City Council Member wish to, a listing of business calls may then be provided to the IRS in conjunction with submittal of a tax return so as to render those business calls non-taxable.

#### ***Cellular Data Plan Reimbursement Allocation***

The Data Plan Allocation is for City Council Members who have a need to regularly send and receive time sensitive e-mail communication and documents remotely using a SmartPhone/PDA device that provides access to City e-mail. The Data Plan Stipend is in addition to the Cellular Telephone Stipend and the current reimbursement allocation amount is up to \$45.00 per month in addition to the Cellular Telephone Stipend. In order to receive the cellular data plan reimbursement allocation, it is the responsibility of the City Council Member to submit along with their cell phone reimbursement request a face sheet of a cell phone bill that reflects the cost of the cellular data plan, the cell phone number, account name and billing address. This shall be submitted periodically (at least twice per year) to document continued use of their cellular data account.

#### **Other Expenses**

Any and all expenses that do not adhere to this “City Council’s Protocols” are required to be approved by the City Council in a public meeting prior to the expenses being incurred. Expenses that do not adhere to the City Council’s Protocols, and that do not receive prior approval for the City Council in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

#### **Claim Forms**

Training and Conference Expense Claim Forms or Blue Claim Forms shall be provided to Council Members who incur reimbursable costs that adhere to the City Council’s Protocols.

All reimbursement claim forms shall document that the expenses adhere to this policy. Receipts are required to be submitted in conjunction with the expense reimbursement claim form and

reimbursement policy. Failure to submit necessary receipts will result in denial of the reimbursement claim.

All claim forms shall be submitted within a reasonable time, and at no time more than 30 days after incurring the expense. All documents related to reimbursable City expenses are subject to the Public Records Act. It is against the law to falsify expense claim forms. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:

- (1) The loss of reimbursement privileges;
- (2) Restitution to the City;
- (3) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
- (4) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code.