

CITY OF MARTINEZ CITY COUNCIL POLICIES AND PROCEDURES

In order to provide for continuity of responsibility and to provide sufficient time and opportunity for full consideration and public discussion of important issues which the City Council must review and decide, it is necessary to adopt the following rules concerning the preparation and conduct of its meetings and other business.

I. ELECTION OF COUNCIL OFFICERS

The Mayor is elected by a vote of the citizenry and serves for a term of four years. The Mayor shall appoint a Vice Mayor and the Council shall ratify the appointment at the first regular meeting of December or at the first meeting after the certification of the election results. Unless impossible, each Council member shall have the opportunity to serve as Vice Mayor for one year.

II. APPOINTMENTS TO BOARDS AND COMMISSIONS

Nominations to Boards, Commissions and Committees shall be made by the Mayor and in order to be effective, said nominations must be ratified by the Council. Nominations shall be provided with the agenda packet.

III. COUNCIL SUBCOMMITTEES

The Mayor may appoint, with ratification by the Council, any Council subcommittees as may from time to time be needed and shall specify the duties and tasks of each subcommittee and/or the general subject matter of the subcommittee is to address. Upon reasonable request and after consultation with the City Manager, such subcommittees shall be supported by the City Manager and staff and shall develop materials and policies that will be referred to Council if and when the subcommittee develops recommendations on such matters. Other than giving recommendations to City staff consistent with the authorization given to them by the Council, members of a Council subcommittee may not hold themselves out as representing the City Council or the positions of City Council, without the express authorization of a majority of the Council given at a properly noticed meeting of the Council.

An individual councilmember, including the mayor, may use City and/or his/her own letterhead to communicate his/her opinions and positions as long as s/he states, in those communications, that s/he is so communicating as an individual councilmember. Without the express authorization of a majority of the Council given at a properly noticed meeting of the Council, no councilmember may communicate, in writing or otherwise, that s/he is acting or communicating on behalf or as the representative of (a) the City, (b) the City Council, or (c) a subcommittee of the Council.

To the extent feasible, membership on subcommittees should be rotated on a staggered basis among Councilmembers every two years.

IV. MEETINGS

A. Timing of Meetings

1. Regular Meetings

- a. Regular meetings of the City Council shall be held at the time and place designated by ordinance. Whenever the day fixed for any regular meeting of the Council falls upon an election day or a holiday, such meeting may be held at the same hour on the next succeeding day not a holiday.
- b. Whenever a regular meeting fixed by ordinance cannot be held due to a scheduling conflict or other reasons that preclude the convening of a quorum, the Council shall select an alternate meeting date. The City Clerk is directed to give notice of the cancellation of the regular meeting date and the convening of the Council on the alternate meeting date fixed in the manner required by law.
- c. A public hearing may not be held earlier than the time shown on the public notice of the public hearing.

2. Special Meetings

Special meetings may be ordered at any time by the Mayor or a majority of the City Council whenever the public business requires it. Whenever a special meeting is called, notice of the meeting shall be delivered by the City Clerk to each member of the Council and to each local newspaper of general circulation and to each radio station previously having requested a notice in writing.

The notice must be delivered at least 24 hours before the time of such meeting as specified in the notice. The notice shall also be posted at least 24 hours before the meeting at the City Hall.

The notice shall specify the time and place of the special meeting and the business to be transacted. As specified by the Brown Act, public comment will be limited to only those items on the agenda. No other business may be considered by the Council at such meetings.

B. Agenda Planning and Preparation

Except as provided below, the Mayor shall have final approval authority over the inclusion of any and all items on the agenda for a City Council meeting. Items proposed to be included on the agenda shall be submitted to the City Manager who shall submit said items to the Mayor for approval.

1. Items that individual Council Members may wish to place on the agenda are subject to the approval of the Mayor. If the Mayor approves placement of a Council member's item on the agenda, City staff will develop a Council Member report introducing the item in order to include it on the agenda, but will not do additional staff work on the project/request unless and until that work is approved by a majority of the Council.
2. At a Council meeting, a Council Member may request that a matter be placed on a future Council agenda. The request shall be acted upon by the presiding officer at that meeting and if the presiding officer fails to act or denies the request, the affected Council Member may move to place the matter on a future agenda. If the motion receives a second and is passed by a majority of the members present at the meeting, the matter shall be agendaized in accordance with the motion. Unless otherwise provided in the motion, City staff will develop a Council Member report introducing the item in order to include it on the agenda, but will not perform additional staff work on the project/request unless and until that work is approved by a majority of the Council.

C. Posting of the Agenda

The agenda shall include the time and place of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall also provide an opportunity for members of the public to directly address the Council.

Persons who wish to receive copies of the agenda packet by mail may receive them by providing self-addressed stamped envelopes or submitting payments for postage in an amount adopted by the City Council.

The agenda will also be posted on the City's website in a manner consistent with posting the agenda in City Hall. Persons who wish to receive an email version of the agenda may so indicate to the City Clerk.

D. Consent Calendar

The Council may adopt a consent calendar as part of the regular meeting agenda. The City Manager shall propose specific action on each consent item. Council members are encouraged to contact the City Manager with questions about the agenda and/or agendaized items prior to Council meetings provided, however, that the purpose of such contacts shall not be to develop a consensus among the Council Members or to disclose or learn about the positions Council Members' may have on any item on the agenda. Any member of the Council may direct and any member of the public may request that a consent item be removed from the consent calendar and placed on the regular agenda for consideration and discussion by the Council and an opportunity for the public to comment on it. Consent items are adopted in total and with one motion by the Council and are not subject to individual debate and discussion. It is left to the sole

discretion of the presiding officer as to whether each consent calendar agenda item is read in full by the presiding officer prior to the Council taking action on same. Prior to calling the consent calendar, the presiding officer shall invite public comment thereon.

E. Order of Business

The Order of Business of City Council agendas shall be established by the Mayor and City Manager. The Presiding Officer can modify the order of the agenda as circumstances warrant. In general, the order shall be as follows:

- a. Call to Order
- b. Presentations/Proclamations
- c. Public Comment
- d. Consent Calendar
- e. Public Hearings
- f. City Council Items/Report/Comments
- g. City Manager Items/Reports
- h. Chief of Police Items/Reports *revised 5/6/09*
- i. Appointments to Agencies/Commissions
- j. Adjournment

The agenda shall note the next Council meeting and specify if it is other than a regular meeting.

F. Limit on Action Taken

No action or discussion may be undertaken on any item not appearing on the posted agenda for a regular meeting unless one of the following conditions exist:

- a. The Council determines by majority vote that an emergency situation exists as defined by Government Code section 54956.5.
- b. The Council determines by a 2/3 vote of the members present (or by a unanimous vote if less than 2/3 of the members are present) that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.

When the Council decides to consider and take action on a matter not on the posted agenda, it shall do so by motion and the motion shall include the facts and circumstances that support the exception.

When a person raises a matter that is not on the posted agenda, the matter may not be discussed or acted upon unless one of the above exceptions applies, or is otherwise permitted by the Ralph M, Brown Act. Notwithstanding the foregoing to the contrary, however, a member of the City Council may briefly respond to statements made or questions posed by persons exercising their public testimony rights. In addition, on its own initiative, or in response to questions posed by the public, members of the Council may ask questions for clarification, make a brief announcement, make a brief report on his/her activities, provide a reference to staff or other resource for factual information, or request staff to report back to the Council at a subsequent meeting concerning any matter. Furthermore, subject to Rule IV(B), above, the Council may take action to direct staff to place a matter of business on a future agenda.

G. Rules of Order

1. The Presiding Officer

The Mayor is the presiding officer and shall preside at Council meetings and perform such other duties consistent with the office as may be imposed by State Law or by the Council, provided that any duty imposed by the Council is not inconsistent with State law. In the Mayor's absence Vice Mayor is the presiding officer.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council. The presiding officer may announce rules for the consideration of a particular item on the agenda and may establish and announce other special rules for consideration of special agenda items such as requiring that a spokesperson address the Council on behalf of a group of persons.

Except as provided in Rule IV (D), the presiding officer shall state the question coming before the Council, call for the vote, announce the decision of the Council on all subjects and decide all questions of order. However, if the presiding officer's decision on questions of order is appealed to the Council, a majority vote of the Council shall then determine such questions of order. The Mayor shall sign all ordinances and resolutions adopted by the Council during his/her presence. In the event of the absence of the Mayor, the Vice Mayor shall sign ordinances and resolutions as then adopted.

2. Attendance

Before proceeding with the business of the Council, the City Clerk shall enter into the minutes the names of the council members present or absent.

3. Quorum

A quorum must exist in order to conduct business. The presence of three or more members of the Council constitutes a quorum.

If an item cannot be resolved because of a deadlock in voting, the issue does not go forward.

Except as otherwise provided in the Municipal Code (particularly with respect to planning actions taken under the Zoning Code, see Rule IV, G10. Appeals), tie votes of the Council are tantamount to no action being taken on the item subject to the tie vote.

If the meeting is adjourned because of lack of a quorum, the City Clerk shall give written notice of the adjournment in the manner provided for special meetings and shall also have a copy of the notice of adjournment conspicuously posted at or near the door of the place where the meeting was held within 24 hours after the adjournment.

4. Minutes

Minutes shall reflect the general discussion that takes place during the meeting. Verbatim minutes will not be taken. Minutes are a record of the Council's or its committee's proceedings. Minutes reflecting the action of standing committees of the Council will be taken. Ad Hoc subcommittees may keep minutes, at their discretion. Their ultimate form and content shall be subject to the exclusive control and determination of the Council (or, as respects minutes of Council standing committees, the standing committees). Persons who are not Council Members may recommend changes to the minutes during public meetings of the Council or its standing committees, but whether said recommendations shall be honored or rejected is left to the sole and unfettered determination of the Council (or its standing committees, as the case may be). Drafts of minutes that have not been included in materials slated to be made available to the public shall not be subject to public inspection or copying.

5. Interruptions and Courtesy to Speakers

A speaker once recognized shall not be interrupted when speaking unless it be to call the speaker to order, or as otherwise provided in these rules. The presiding officer will determine what constitutes an interruption or Council Members may ask the presiding officer to make such a determination. If a speaker, is called to order, the speaker shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.

6. Ordinances, Resolutions and Motions - Precedents

When an ordinance, resolution or motion is properly brought before the Council and seconded by another Council Member, no other action may be considered except a point of order, or a motion to adjourn, to table, to table to a time certain, to close debate, to refer, or to amend. Such items shall have precedence in the order stated in the preceding sentence. Points of order shall be ruled upon by the presiding officer; however, the ruling may be overridden by a majority of the Council. Members of the public do not have the right to claim a point of order.

- a. Motion to Table. If a motion to table (without time certain) passes, consideration of the matter during the same meeting may be resumed only upon the motion of a member.
- b. Motion to Close Debate. When a motion to close debate is made and seconded, there shall be no further debate except on whether or not to close debate. If the question carries by a majority vote of the members present, the presiding officer shall put pending amendments to a vote without debate in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the Council.
- c. Reconsideration.
 - 1) Questions acted upon not the subject of a public hearing. Any member of the Council, regardless of how s/he voted, may move the reconsideration of a decision that was not the subject of a public hearing at the same meeting in which that decision was made, or at the next following meeting. After such a motion for reconsideration is acted upon, no other similar motion to reconsider may be made at the same or any subsequent meeting without unanimous consent.
 - 2) Questions acted upon which are the subject of a public hearing. If the question acted upon was the subject of a public hearing, a motion for reconsideration may be made and shall be acted upon in the manner specified by law. If a procedure for reconsideration is not specified by law for a matter that was the subject of a public hearing, the councilmember who may make the motion for reconsideration and the time for making the motion for reconsideration shall be provided in subparagraph (1). If the motion passes, the decision originally made is suspended and the question originally acted upon shall be put before the Council at its next meeting. The City Clerk shall give mailed notice of the meeting at which the question is to be reconsidered to each person who appeared at the initial hearing in accordance with the notice requirements applicable to the noticing of the question at the time it was originally considered.

7. Division of the Question

If a matter properly put before the Council contains two or more separable propositions, a member of the Council may request that the question be divided into its separate parts and the presiding officer shall divide the question into its separate parts for consideration.

8. Conflict of Interest

A member of the Council who has a conflict of interest regarding any matter being considered by the Council shall declare the conflict (describing the facts giving rise to the conflict) and recuse him/herself from participating in the Council's deliberations and decision regarding that matter. Except with respect to items acted upon as part of the one motion addressing consent calendar items, the disqualified Council Member shall step down from the Council dias and remove him/herself from the Council chambers during the matters consideration (unless under the law the Council Member has an interest that permits him/her to remain in the chambers and speak to the Council as a member of the public).

City staff will maintain maps showing the 500-foot radius from each Council Member's home and all other real property in which a member has an interest in order to assist in determining if there are potential conflicts of interest regarding any matter to be discussed by the City Council. The burden rests with each Council Member to alert City staff and the other Council Members as to that Council Member's potential conflict of interest.

9. Remarks of Council Member

A Council Member may request, through the presiding officer, the privilege of having an abstract of his/her statement on any subject under consideration by the Council entered in the minutes. If the Council consents to it, such statement shall be entered in the minutes.

10. Appeals

Unless otherwise provided in the law or the City's Municipal Code, appeals from administrative bodies to the City Council shall be heard de novo and approval of any permit or other application at issue shall require a majority vote of the members of the Council voting on the matter. For purposes of these Rules a "de novo" proceeding is a hearing in which the matter is heard anew and all of the evidence in support of and in opposition to the matter under consideration should be presented to the Council. In such a proceeding, the scope of the Council's review is not limited to the record established by a lower administrative body, such as the Planning Commission. A tie vote has the legal effect of denying the permit or application, as the case may be.

Except as otherwise provided in the Municipal Code and in the immediately preceding paragraph (particularly with respect to planning actions taken under the Zoning Code), tie votes of the Council are tantamount to no action being taken on the item subject to the tie vote.

11. Rules of Order

- a. Except as otherwise provided herein and by law and/or these Rules, the current edition of "Roberts Rules of Order," as recommended by the League of California Cities, shall govern the conduct of the meeting of the City Council.

12. Protests

Any Council Member has the right to have the reasons for his dissent from or protest against any action of the Council entered into the minutes.

13. Adjournment

Discussion of new item shall not begin after 10:30 p.m. unless a majority of Council Members present vote to continue the meeting.

14. Public Participation

1. Addressing the Council

Any member of the public desiring to address the Council at a meeting shall have the right to do so; provided, the interested person has first been recognized by the presiding officer and speaks within the time and other limitations established by these Rules and the presiding officer.

- a. Written Communications. Interested persons or their authorized representative may address the Council by written communication on any matters concerning the City's business.
- b. Public Comments. Any member of the public may address the Council during the "Public Comments" portion of the agenda on any item of interest to the public that is within the subject matter jurisdiction of the Council. Members of the public wishing to address the Council as to items already posted on the agenda are encouraged, but not compelled, to speak to those items when they are called, rather than during the "Public Comments" segment of the meeting; provided, however, that should a person speak during the "Public Comments" portion of the meeting as to an item posted on the agenda, that person shall not be permitted to address the Council a second time (or greater number of times) on the subject when the matter is called.

Any member of the public speaking to the Council during the “Public Comment” portion of the meeting will be allowed public comment on any agenda item, subject to reasonable time limits established by these Rules and by the presiding officer, and subject to other reasonable limits established under the authority of the presiding officer and applicable law. The Council encourages public participation. Many members of the public will be denied the opportunity to speak and to have Council action taken at a reasonable hour, if at all, if reasonable limits on time and decorum are not placed on all speakers. Time Limits shall conform to a 3-minute limit, unless, in the judgment of the presiding officer, the circumstances dictate otherwise. Speakers during the “Public Comment” portion of the meeting shall be limited to three minutes, irrespective of the number of topics or subjects any given speaker may wish to address.

Those wishing to address the Council will be encouraged to make use of the speaker cards. Such use is voluntary, as is providing a name and address on the card.

2. Addressing the Council After Motion Made

As a general rule, and unless otherwise expressly permitted by the presiding officer, after a motion is made by a member of the Council on the matter under consideration, no member of the public shall address or be permitted to address the Council.

3. Manner of Addressing the Council

All remarks shall be addressed to the Council as a body and not to a single Council Member or to the audience. No person, other than the Council and persons having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer. No question shall be asked of or by a Council Member or City staff except through and with the permission of the presiding officer.

No member of the public shall approach the Council table while the Council is in session unless the presiding officer gives permission to do so.

A public hearing may not be held earlier than the time shown on the public notice of the public hearing.

4. Order and Decorum

By Council Members

While the Council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any members while speaking or refuse to obey the reasonable order of the Council or its presiding officer, except as otherwise provided in these Rules and/or applicable law.

a. By Other Person

While the Council is in session, all persons of the public shall preserve order and decorum. The making of personal, impertinent, slanderous or defamatory remarks shall be prohibited. No person attending a Council Meeting shall engage in the following activity or conduct while attending that meeting: verbal, written, physical or other form of communication or conduct that is profane, abusive, insulting, boisterous, unruly, personal, impertinent, racially or gender based, or physically or emotionally threatening, or conduct which involves a refusal to obey the lawful orders of the Council or its presiding officer so as to render the orderly conduct of the Council proceedings unfeasible. Every member of the public and every Council Member desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate: We may disagree, but we will be respectful of one another.

All comments will be directed to the issue at hand. All comments shall be relevant to the item on which the speaker is addressing. Except to the extent permitted under the Ralph M. Brown Act, which allows public criticism of the policies, procedures, programs or services of the City, personal attacks shall be avoided.

A person who engages in such activity or conduct is subject to removal from the Council meeting and may be barred from the remainder of the meeting.

5. Enforcement of Order and Decorum

The Police Chief (or his or her designee) is the Sergeant-at-Arms of the Council meetings and shall be present when requested by the presiding officer. The Sergeant-at-Arms shall carry out all lawful orders and instructions given at the Council meeting by the presiding officer. Upon instruction of the presiding officer, the Sergeant-at-Arms, shall remove any individual who interferes with the order or decorum or effective conduct of the meeting.

Before removing an individual, the presiding officer shall: (1) inform the individual that the Council's rules of procedure prohibit an activity which substantially impairs the effective conduct of the meeting by committing acts in violation of these Rules and informs the individual that he/she is engaging in such activity and identify the activity, (2) request the individual to cease the activity immediately, and (3) warn the individual that he or she will be removed and barred from the remainder of the meeting unless the activity ceases.

If the individual does not cease the activity immediately, the presiding officer shall order the individual to leave the Council Chambers and not return for the remainder of the Council meeting. If the individual fails to comply with the order, the presiding officer shall instruct the Sergeant-at-Arms to remove and bar such individual as ordered.

V. COUNCIL TRAVEL AND REIMBURSEMENT

A. AUTHORIZED EXPENSES

General Statement. City funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized City business. 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:

1. Communicating with representatives of regional, state and national government on City-adopted policy positions;
2. Attending educational seminars designed to improve officials' skill and information levels;
3. Participating in regional, state and national organizations whose activities affect the City's interests;
4. Recognizing service to the City, and commemorating events of significance to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);

5. Attending City events;
6. Implementing a City-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member; and
7. Meetings such as those listed above for which a meeting stipend is expressly authorized under law and/or this policy.

Specific Expenses Requiring Advance Approval. In addition, the following expenses require prior mayoral approval, or in his/her absence, the Vice Mayor, and notice to the City Council:

1. Out-of-state travel;
2. Expenses which exceed any annual limits established for each office holder; and
3. Expenses exceeding \$300 per trip.
4. Any travel exceeding 72 hours.

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

1. The personal portion of any trip;
2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses when accompanying official on city-related business, as well as children- or pet-related expenses;
4. Except for cultural events that are provided as part of and cannot be segregated from the cost or charge for an expense that is otherwise reimbursable under this policy, 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;
5. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
6. Personal losses incurred while on 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.

B. 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 the guidelines.

1. 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.

- a. Airfare. Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities (www.cacities.org/travel), the California State Association of Counties (<http://www.csac.counties.org/default.asp?id=635>) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.
- b. Automobile. Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (see www.irs.gov). 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.
- c. Car Rental. Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.
- d. Taxis/Shuttles. Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

2. Lodging

Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. If travel is out of the State of California, a written report shall be submitted with the expense report. The written report must state the purpose of the trip and any and all observations and/or knowledge acquired that may be of value to the citizens of the City of Martinez.

- a. Conferences/Meetings. 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 the group rate is not available, see next section.
- b. Other Lodging. Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at <http://www.catravelmart.com/lodguideframes.htm>. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable.

3. Meals

Meal expenses and associated gratuities will be reimbursed at the billed amount, up to the following maximum amounts (except as provided below):

Breakfast	\$15
Lunch	\$25
Dinner	\$50

The City will not pay for alcohol/personal bar expenses. If an event includes alcohol, the City shall reimburse only that portion of the expenses for said event that do not include charges for alcohol. Any expenses exceeding the above rate shall be submitted to the City Council by the Council member after the expense is incurred and upon the Council member's return from the event for consideration of reimbursement, accompanied by the proper receipts for the actual costs.

4. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills documenting the charges sought to be reimbursed must be submitted along with the appropriate expense report form (see ¶D below). Telephone bills should identify which calls were made on City business. For cellular calls when the official has a particular number of minutes included in the official's plan, the official is permitted to identify the percentage of calls made on public business in lieu of identifying specific City business calls.

5. Airport Parking

Long-term parking must be used for travel exceeding 24-hours.

6. Other

Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed.

7. Reimbursement by Another Agency

Expenses for which City officials receive reimbursement from another agency are not reimbursable.

C. CASH ADVANCE POLICY

From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager ten (10) days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of City;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the City treasury within two business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

In the event the City Manager is uncertain as to whether a request complies with this policy, the official seeking a cash advance must seek resolution from the City Council.

D. EXPENSE REPORTS

All cash advance expenditures and expense 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.

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 city 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.

All expenses are subject to verification that they comply with this policy.

At the next city council meeting following the meeting, each official shall briefly report on meetings attended at City expense. If multiple officials attended, a joint report may be made.

E. COMPLIANCE WITH LAWS

City officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All city expenditures are public records subject to disclosure under the Public Records Act and any other relevant law.

F. VIOLATIONS 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's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.