

RESOLUTION NO. 2011-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS ADOPTING COMPREHENSIVE BENEFITS AND A REIMBURSEMENT POLICY FOR CITY COUNCIL MEMBERS AND RESCINDING RESOLUTION NO. 2006-005

WHEREAS, it has been the City of Thousand Oaks' policy to pay the full cost of Council members' benefits, including health benefits; and

WHEREAS, Resolution No. 2006-005 currently governs City Council benefits; and

WHEREAS, on April 12, 2011, City Council approved amending CalPERS Contract #4416-99 by reducing the health care allowance for Council members to the PERS minimum and directed staff to amend the Council Benefits Resolution to include an allowance to cover the full health care premium for sitting Council members, and retired Council members or their survivors who were receiving health care benefits as of January 1, 2011; and

WHEREAS, in order to comply with state law, reimbursement for expenses incurred by members of the City Council shall be in accordance with the Expense and Reimbursement Policy for City Council, City Commissions, Boards and Committees, attached hereto and incorporated herein as Exhibit A.

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

Section 1. Benefits for Council members to be paid as follows:

1. Health/Medical Insurance: Pay for the statutory minimum cost of health/medical insurance mandated under the Public Employees' Medical Hospital Care Act ("PEMHCA"), as amended from time to time, for Council members and their dependents. (For year 2012, the statutory minimum cost is \$112 per month)
2. Cafeteria Plan for Health/Medical Insurance: For Council members seated at the time of adoption of this Resolution, and for retired Council members or their survivors who were receiving City health care benefits as of January 1, 2011, City will contribute the difference between the PEMCHA statutory minimum and the total health care premium.
3. Dental: Pay for the full cost of dental insurance for Councilmembers

and their dependents.

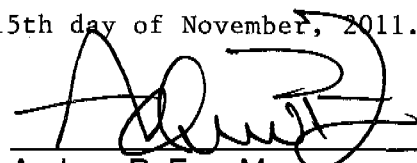
4. Vision Care: Pay for the full cost of vision care for Councilmembers and their dependents.
5. Employee Assistance Program: Pay for the full cost of the employee assistance program for Councilmembers and dependents.
6. Physical Examinations: Provide for an annual physical examination for Councilmembers in the amount of \$300 per year.
7. PERS Retirement: Pay for the employee's contribution of 7% for PERS retirement.
8. Tuition Reimbursement and PC Loan Program: Councilmembers are eligible to participate in both of these employee benefit programs.
9. Travel Accident Policy: Pay for the cost of \$250,000 of life insurance under the provisions of a Travel Accident Policy.

Section 2. Expense and Reimbursement Policy for City Council, City Commissions, Boards and Committees is hereby adopted and expenses of Councilmembers will be reimbursed pursuant to this Policy.

Section 3. City Council Resolution No. 2006-005 is hereby rescinded in its entirety.

Section 4. This Resolution shall go into effect on January 1, 2012.

PASSED AND ADOPTED this 15th day of November, 2011.



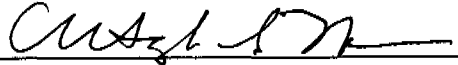
Andrew P. Fox, Mayor
City of Thousand Oaks, California

ATTEST:



Linda D. Lawrence, City Clerk

APPROVED AS TO FORM:



Christopher G. Norman, Interim City Attorney

APPROVED AS TO ADMINISTRATION:



Scott Mitnick, City Manager

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF THOUSAND OAKS)


I, LINDA D. LAWRENCE, City Clerk of the City of Thousand Oaks, DO
HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution
No. 2011-070, which was duly and regularly passed and adopted by said City
Council at a regular meeting held November 15, 2011, by the following vote:

AYES: Councilmembers Gillette, Glancy, Irwin, and Mayor Fox

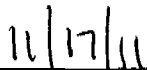
NOES: Councilmember Bill-de la Peña

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
official seal of the City of Thousand Oaks, California.



Linda D. Lawrence, City Clerk
City of Thousand Oaks, California



Date Attested

**City of Thousand Oaks Expense And Reimbursement Policy
For City Council, City Commissions, Boards and Committees**

Findings

Whereas, City of Thousand Oaks (City) takes its stewardship over the use of its limited public resources seriously;

Whereas, public resources should only be used when there is a substantial benefit to City, such as:

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 levels; and
4. Promoting public service and morale by recognizing such service;

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

Whereas, 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;

Whereas, the requirements of Government Code sections 53232.2 and 53233.3 is satisfied by this Policy;.and

Whereas, this Policy supplements the definition of actual and necessary expenses for purposes of state laws relating to permissible uses of public resources and necessary and reasonable expenses for purposes of federal and state income tax laws.

Section 1. Application. This policy applies to all City Councilmembers (referred to as Councilmembers or Officials) and members of City Boards, Commissions and Committees.

Section 2. Expenses. City funds, equipment, supplies (including letterhead), titles, and staff time should only be used for authorized City business.

Section 2.1. Authorized Expenses. 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.

A. Communicating with representatives of regional, state and national government on City's interest or policy positions.

B. Attending educational seminars designed to improve officials' skill and information levels.

C. Participating in regional, state and national organizations whose activities affect or advance City's interests.

D. Attendance at meetings of City Committees, Outside Joint Boards/ Authorities/Commissions, Outside Agencies or Groups where attendance is requested/required because of membership on the City Council; for example meetings listed in Council Assignments.

E. Recognizing service to City (for example, thanking a longtime employee with a retirement gift or celebration).

F. Attending City events and other Regional events related to City's interest.

G. Implementing a City-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.

H. Expenses directly related to Council duties such as mileage to attend a community meeting or engagement.

I. Attendance at a meeting, event or conference of an organization of which City is a member.

J. Attendance at a meeting of a legislative body of another government agency, or an official event sponsored by another government agency.

Section 2.1. Prior Approval. Any expenditure not authorized by this Section 2 or any international travel requires prior City Council approval.

Section 2.2. Non Reimbursable Expenses. 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.
3. Family expenses, including partner's expenses when accompanying official on City-related travel, as well as child-related expenses.

4. Entertainment expenses, including movies (either in-room or at the theater) or sporting events (including gym, massage and/or golf-related expenses). Cultural events are not normally reimbursable unless it is a City-sponsored event.

5. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline.

6. Alcoholic beverages.

7. Personal telephone calls in excess of one 15-minute call per day when traveling.

Section 3. Transportation. The most economical mode and class of transportation reasonably consistent with scheduling needs must be used, using the most direct and time-efficient route. Government and group rates must be used when available. In the event that a more expensive transportation form is used, the cost borne by the City will be limited to the cost of the most economical, direct, efficient and reasonable transportation form.

Section 3.1. Automobile. Automobile mileage is reimbursed at Internal Revenue Service rates. The Finance Department provides a new, adjusted mileage rate in January of each year, and the rate for 2006 is 44.5 cents per mile. The IRS rate is designed to compensate for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls or parking, which are also reimbursable. Officials must have a valid California driver's license and proof of insurance when using a personal vehicle for City business.

Section 3.2. Air/Train/Personal Vehicle. Allowance for air and train travel is based on actual round-trip coach fare, tourist class or by the method least costly to the City. Officials are expected to make special efforts to take advantage of discounts, special fares and travel vouchers whenever available at reasonable and convenient times. It is preferred that travel agency services not be used when making travel arrangements in order to keep costs low. Travel by City or personal vehicle should not exceed cost of airfare or train fare.

Section 3.3. Car 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. The current State rates are pursuant to a competitively bid contract and range from \$32.39 to \$80.75 a day.

Section 3.4. Taxis/Shuttles. Shuttle, bus, taxi or other public transportation should be used between airport, hotel and conference site whenever available. Due to high cost, taxi service should only be used when no other convenient, less costly transportation is available. Tips and gratuities associated with taxi or shuttle service should be included in the receipt.

Section 3.5. Parking Expenses. City will provide reimbursement for parking associated with travel, including parking at the airport, hotel and conference, training or meeting site. Adequate receipts must be provided during post travel reconciliation.

Section 4. Lodging. Except for expenses of mileage, parking, or fares for commuter rail or bus transportation, reimbursement for travel and lodging shall be limited to travel outside of Ventura County. Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. If an Official cannot reasonably expect to attend the occasion by commencing travel from his or her home by 6:00 a.m. or reasonably expect to return to his or her home following the occasion by 11:59 p.m. of the same day as the occasion, then an overnight stay will be considered reasonable. If an Official chooses to utilize a higher rate hotel or accommodation outside this Policy, the Official will be personally responsible for the difference in cost.

Section 4.1. 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 section 4.2.

Section 4.2. 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 government rates are not available at a given time or in a given area, lodging rates that do not exceed \$250 per night excluding taxes are presumed reasonable and hence reimbursable.

Section 5. Meals During Travel. Officials are entitled to receive a per diem or meal allowance for travel. Per diem will be allowed for travel time and days at an event, and reimbursement will be at the current rate set by the Federal Internal Revenue Service regulations and published by the Finance Director in January of each year. These rates include tax and tip. The City reimburses for actual lodging costs and therefore does not include lodging in per diem rate.

Section 5.1. Per Diem Rate. The per diem rate for 2006 is as follows.

Breakfast =	\$12
Lunch =	\$18
Dinner =	\$31
Incidental Expenses =	\$ 3
Daily Per Diem rate =	\$64

Section 5.2. Reimbursements. Officials will be reimbursed their per diem upon return from travel and when final processing and accounting of their Travel Expense Report has been submitted. Receipts are not required to receive per diem reimbursement. However, if a City credit card was used to pay for meals, snacks, beverages, etc., receipts are required and those costs should be reconciled on travel authorization form. City will reimburse City credit card expenses only up to the daily per diem rate.

Section 5.3. Exceeds Per Diem Allowance. If the amount of per diem authorized is exceeded, no additional funds will be provided for reimbursement. If an Official exceeds the amount of per diem using their City credit card, they are required to reimburse the City from their personal funds.

Section 5.4. Meals Served at Conference/Training. If a meal is provided without extra charge at a meeting, conference or training session, appropriate deductions must be made from per diem allowance.

Section 5.5. Additional Costs for Conference Dinner Galas, Awards Ceremonies. Periodically conferences assess an extra charge to participate in a dinner gala or awards ceremony. These charges are usually in addition to registration fees and are more than the allotted per diem for a meal or even for the day. City will pay for attendance at the gala or ceremony as part of registration costs. An Official will not be eligible for per diem for that meal. If participation cost is more than total daily per diem, Official will still be eligible for per diem for other meals.

Section 5.6. City Credit Cards Used to Purchase Meals. City credit cards may be used to purchase meals during travel. Such expenses should be reconciled on the Travel Expense Report and subject to per diem meal reimbursement.

Section 5.7. Alcohol. City will not pay for consumption of alcohol, including alcohol consumed with meals.

Section 5.8. Partial Days. Per diem starts when travel begins. In calculating meal allowances for partial days, the following guidelines should be used:

- A. If departure occurs after 8:00 a.m., deduct breakfast allowance for that day.
- B. If departure occurs after 1:00 p.m., deduct breakfast and lunch allowances for that day.
- C. If departure occurs after 7:00 p.m., deduct all meal allowances for that day.
- D. If return occurs after 8:00 a.m., breakfast allowance may be claimed.
- E. If return occurs after 1:00 p.m., breakfast and lunch allowances may be claimed.
- F. If return occurs after 7:00 p.m., full meal allowances for day may be claimed.

Section 6. Other Travel Expenses.

Section 6.1. Tips & Gratuities. Reasonable expenses for tips and gratuities are allowed for hotel and transportation purposes, and are covered by the "incidental expenses" portion of per diem allowance. If this type of tip exceeds \$3 a day, actual tip paid will be reimbursed. Tips for meals are included in per diem, and therefore are not separately reimbursed. Baggage handling fees of up to \$1 per bag will be reimbursed.

Section 6.2. Telephone/Fax/Cell Phone/Internet Access Expenses. Telephone, fax, cell phone and Internet access expenses may be incurred only for conducting City business when traveling in conjunction on City business. A list of hotel telephone calls, detailing who was called and the subject of the call, should be submitted with the completed travel reconciliation. One personal call per day of a short duration (approximately fifteen minutes) may be made at City expense.

Section 7. Other Meals (Lunch Meetings, etc). Periodically, Councilmembers may purchase a meal or refreshment, including tax and tip, for representatives from other agencies or those conducting business with the City. The Councilmember may use City credit card or personal funds to purchase meals or refreshments for the meeting. Official must submit appropriate receipt, cite purpose of meal and list all representatives and the names of their corresponding agencies, if applicable, for reimbursement.

Section 8. Official Representation. Officials designated to provide official City representation at events such as retirement and separation functions; awards functions, special ceremonies and similar activities may incur necessary meals and food-related expenses. In such cases, the individual is acting in his/her official capacity and the expense of the Councilmember and spouse/domestic partner is incurred for the benefit of the City and is reimbursable at full cost, if the City has not already purchased admission tickets for the Councilmember and spouse/domestic partner.

Section 9. Professional Organizations. Officials may participate in official functions of professional organizations they belong to, and if membership is deemed to be of benefit to the City, may incur necessary meals and food-related expenses in conjunction with organization activities. If a meal is a part a professional meeting or function, the Official will be reimbursed for the full cost of the meal upon presentation of a receipt or other documentation substantiating the cost (Examples: VCTC, CSMFO, CalTrans, APWA, AWA, PARMA, ICC, CalPERS, MMASC).

Section 10. Organizations of which the City is a Member. City may join and pay dues to civic, educational, and governmental organizations, as the Council deems appropriate to further City's purposes. For purposes of this section, "organizations" includes individual civic, educational and governmental organizations as well as associations, leagues, coalitions and similar affiliations of persons or entities. City memberships include agency memberships and individual memberships of organizations that do not have agency memberships. The City Manager shall keep a list of the City's memberships and the annual membership payments. Council should review the list of memberships bi-annually.

Section 11. Credit Card Use Policy. City credit cards may not be used for personal expenses, even if the official subsequently reimburses the City.

Section 12. Expense Report Content. All credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by City. Officials must submit their expense reports within 30 days of an expense being incurred. All expenses reported on must comply with this Policy. 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 Councilmember should explain whose meals were purchased, what issues were discussed and how those relate to the City legislative positions and priorities. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

Receipts are not necessary to receive per diem reimbursement. If a City credit card was used to pay for meals, snacks, beverages, etc., receipts are required and those costs should be reconciled on travel authorization form. Official will be reimbursed for per diem after travel, when post travel authorizations have been processed, reviewed and approved.

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

The information submitted is a public record.

Section 13. Travel Authorization.

Section 13.1 City Council Travel. City Manager or designee to ensure compliance with this Policy and City Council-approved budget will review Councilmember pre-travel requests and post travel documents.

Section 13.2. Board, Commission. Committee Travel. Members of Boards, Commission and Committees will not be reimbursed for any expenses except as provided in this Section 13.2. Members of Boards, Commission and Committees may be authorized by the City Manager to attend educational seminars or conferences. In such case the Member must comply with the City's Travel and Expense Administrative Policy and Procedure.

Section 14. Audits Of Expense Reports. All expenses are subject to verification that they comply with this policy.

Section 15. Reports To Governing Board. At the following City Council meeting (or other governing body meeting for Board, Commissions or Committees), each official shall briefly report on meetings attended at City expense. The report may be either oral or written.

Section 16. Public Records. All agency expenditures are public records subject to disclosure under the Public Records Act.

Section 17. 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.

- A. Loss of reimbursement privileges.
- B. A demand for restitution to City.
- C. City's reporting the expenses as income to the elected official to state and federal tax authorities.
- D. Imposition of civil penalties for misuse of public resources pursuant to Government Code Section 8314.
- E. Prosecution for misuse of public resources.