

CHAPTER 5.10
MAYOR AND COUNCIL DISCRETIONARY FUNDING

§ 5.10.010. Policy.

1) SCOPE

This policy only applies to discretionary funding allocated by the Mayor and Council to be expended by the Mayor and Council in fiscal years when discretionary funding is explicitly adopted in the annual operating budget.

- A) This policy shall apply when City Councilmembers act in their official capacity as members of the Council.
- B) This policy shall apply when City Councilmembers are requesting funds from their discretionary spending allocations.

2) PURPOSE

- A) The City hereby expressly acknowledges its responsibility to wisely administer limited public resources and to expend them only when there will be a substantial benefit to the City and its residents. To conserve City resources and keep expenses within community standards for public officials, expenditures shall adhere to the rules and guidelines set forth in this policy and shall govern reimbursement to City Councilmembers for actual and necessary expenses incurred in the performance of official duties.

- B) Authorized Expenses

Expenses incurred by Councilmembers in connection with sponsorship for activities or events constitute authorized and reimbursable expenses under the following conditions:

- i) Has a community benefit.
- ii) Cannot be religious or political in nature.
- iii) Cannot be a personal benefit.

- C) Reimbursement for Mileage

- i) Communication or meeting with constituents.
- ii) Attend local events that have a community benefit
- iii) Attend City-sponsored events.
- iv) Events and meetings shall not be political or religious in nature.

- D) Membership Reimbursement

- i) Has a community benefit.
- ii) Cannot be personal benefit.

3) COMPLIANCE WITH LAWS

Councilmembers should be aware that some expenditures may be subject to reporting under the Political Reform Act and other laws. In addition, all agency expenditures are public records subject to disclosure under the Public Records Act.

4) POLICY VIOLATIONS

A) Violations of this policy, including falsifying expense reports, may result in any or all of the following:

- i) Loss of reimbursement privileges;
- ii) A demand for restitution to the City;
- iii) Reporting the expense to State and Federal tax authorities as income to the Councilmember;
- iv) Civil penalties of up to \$1,000.00 per day and three times the value of the resources used;
- v) Criminal prosecution of misuse of public resources.

B) Violations of this policy are to be addressed by majority vote of the Mayor and Council in public session.

§ 5.10.020. Process.

1) COMPLIANCE WITH CITY PROCESSES

- A) Requests to expend funds through this policy will be subject to the guidelines and limitations established through the City's internal financial policies and processes.
- B) Requests to expend funds through this policy will be processed administratively in accordance with the City's internal financial policies and processes.
- C) Requests to expend funds will be reviewed by the City Attorney's Office and City Manager's Office for compliance with the City's internal financial policies and practices.

2) TIMELINE FOR REQUEST FOR PAYMENT/REIMBURSEMENT

- A) Councilmembers must submit their request for payment 30 days prior to the expense being incurred. The request should be accompanied with letter or invoice documenting the event.
- B) Councilmember must submit their request for reimbursement for expenses within 30 days incurring the expense. The request must be accompanied by an expense report, receipts, and documentation.
- C) The 30-day timelines referenced above are based upon when complete documentation is provided.
- D) Staff will communicate with the requesting Mayor or Councilmember if there are

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anticipated delays in the 30-day timeline due to unusual volume or technical challenges for City staff to complete the request within the standard timeframe.

§ 5.10.030. Responsibilities.

Mayor and Councilmembers: Compliance with policy; compliance with requirements of internal policies and processes; provide requests and backup documentation to the City Manager's Office.

City Attorney's Office: Review requests for compliance with City policies and processes.

City Manager's Office: Review requests for compliance with City policies and processes; prepare and forward requests for expenditures to the Administrative Services Department.

Administrative Services Department: Process requests for expenditures forwarded from the City Manager's Office.

§ 5.10.040. Relevant authority.

Approved by Motion.

§ 5.10.050. Related administrative directive, city policy, city procedure.

Administrative Directive – Purchasing – Contracts-25, FIN-30;

Council Policy – City Council Travel and Expenses – Title 2, Chapter 2.04;

Administrative Directive – Travel and Expense Policy – Title 17, Chapter 17.11;

Administrative Directive – Vehicles-Privately Owned on City Business – FIN-10.

§ 5.10.060. Related forms, documents, or links.

Owner's Operator's Mileage Report:

http://cosintranet/Intranet/forms/files/Monthly_Mileage.pdf

Owner's Operator's Mileage Report:

<http://cosintranet.ci.stockton.ca.us/Intranet/DailyMileageReimb>

§ 5.10.070. Frequently asked questions.

None applicable.

§ 5.10.080. Update history.

09/27/16 - Adopted by Resolution No. 2016-09-27-1204

10/03/17 - Amended by Resolution No. 2017-10-03-1104