

**CITY OF SEBASTOPOL
CITY COUNCIL
STAFF REPORT**

Meeting Date: January 15, 2019
To: Honorable Mayor and City Councilmembers
From: Ana Kwong – Finance Director
Subject: Resolution Adopting Amendments to the Existing City Policy for City Owned Vehicles, Use of Private Vehicles, Travel and Reimbursement Procedures
Recommendation City Council Adopt the attached resolution and Vehicle, Travel & Reimbursement Policy
Funding: Currently Budgeted: _____ Yes _____ No XX N/A
Net General Fund Cost: \$ _____
Amount: _____

INTRODUCTION: This item is to request City Council Approval and Adoption of Resolution Amending the Existing City Policy for City Owned Vehicles, Use of Private Vehicles, Travel and Reimbursement procedures.

BACKGROUND: The purpose of this policy is to set forth the current practices and conditions governing the required procedures when utilizing City and/or privately-owned vehicles, and overall travel reimbursements. The City currently has an Administrative Policy No. 22 of City-owned vehicles in place issued on March 4, 2004 and amended on September 21, 2010. The City does not have an established Travel Reimbursement Policy. During the prior year audit, it was recommended by the auditors that the City is in need of updating the existing vehicle policy and establishing the Travel Policy to reflect the current practices and to affirm and provide guidance on the use and care of City and privately-owned vehicles, and set limits for all travels and reimbursements. This new policy applies to all employees, volunteers, officers and elected officials of the City of Sebastopol. It will also ensure and guide the departments and its employees to conduct City's business in a fiscally responsible manner.

DISCUSSION: These policies and procedures are designed to act as a guideline for utilization of City-owned and/or privately-owned vehicle while conducting City business and for travel expense reimbursements. The policy is designed to accomplish a few key points such as:

- Ensure all employees have a clear and consistent understanding of policies and procedures for business travel utilizing City owned and/or privately-owned vehicles and expense reimbursements.
- Ensure employees are reimbursed for legitimate business travel expenses.

- Provide the appropriate level of accounting and control and ensure that expenses are reviewed and approved by the appropriate person.

RECOMMENDATION: That the City Council Approve and Adopt the Resolution Amending the Existing City Policy for City Owned Vehicles, Use of Private Vehicles, Travel and Reimbursement procedures.

Attachment(s):

Resolution

Vehicle, Travel & Reimbursement Policy

RESOLUTION NO _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
APPROVING AND ADOPTING VEHICLE, TRAVEL & REIMBURSEMENT POLICY

WHEREAS, the City has a responsibility to ensure it handles public funds appropriately; and

WHEREAS, the Vehicle, Travel & Reimbursement Policy describes conditions governing the required procedures when utilizing City and/or privately-owned vehicles, and overall travel reimbursements; and

WHEREAS, the auditing firm for the City has recommended that the City Council adopt a Vehicle, Travel & Reimbursement policy that promote sound financial management practices designed to meet Council's goals and objectives of being financial prudent; and

WHEREAS, the primary objective of the Vehicle, Travel and Reimbursement Policy is to set forth the current practices and to ensure guidance on the use and care of City and/or privately owned vehicles and to set limits for all travel and reimbursements.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Sebastopol hereby approves the Vehicle, Travel & Reimbursement Policy #92 as submitted and attached.

IN COUNCIL DULY ADOPTED this 15th day of January, 2019.

Ayes:

Noes:

Absent:

Abstain:

APPROVED: _____
Mayor Neysa Hinton

ATTEST: _____
Mary Gourley, MMC, Assistant City Manager / City Clerk

Approved as to Form: _____
Larry McLaughlin, City Attorney

CITY OF SEBASTOPOL
Vehicle, Travel & Reimbursement Policy # 92



Overview

To establish the policy, procedures and guidelines for the use of City and personal vehicles for the efficient and effective delivery of City services, while minimizing City expenditures and maximizing current resources, and to establish policy for City travel and reimbursements. This procedure applies to all City employees and officials, and supersedes all other administrative directives previously issued pertaining to the use of City owned or personal vehicle use while conducting City business, or City travel and reimbursement procedures. This policy is written to document the policies and procedures that shall be followed when traveling on City business, attending City related meeting expense for reimbursement, use and care of City vehicles and property by all employees and officials. Transportation required for employees to conduct official City business will be available by the use of a City provided vehicle or the use of an authorized personal vehicle at the City's sole discretion. Everyone who travels for City related business and/or attends meetings for City business purposes (or supervises someone who does) is responsible for reading and understanding guidelines.

Vehicle Policy

The City Council is responsible for adopting the City's vehicle and meeting guidelines, and for approving any significant policy revisions to them. The City Manager or his/her designee has the responsibility for administration of the provisions of this policy, and is responsible for making decisions regarding certain specific vehicle uses as described in this policy. The Finance Director is responsible for developing administrative procedures (such as additional forms, new account codes) as needed to implement the guidelines consistently and efficiently. City Manager or his/her designee is authorized to make minor administrative changes in the guidelines as long as they are intended to carry out the purpose of these guidelines and will not have any significant policy impacts.

This policy assumes a mutual trust between the City of Sebastopol and its employees and City Officials. The City expects to reimburse its employees and officials for all reasonable costs incurred on behalf of the City. Employees and officials are expected to use good judgment in the expenditure of public funds. These guidelines are not intended to address every issue, exception, or contingency that may arise in the course of City travel; however, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the City's resources. Many of these guidelines simply reaffirm values in judgments that are already practiced.

This policy is to assure that City employees and officials adhere to procedures when arranging for travel, lodging, meals and other expenses and that they are paid for reasonable expenses incurred for travel, conferences, meetings, and meals as a result of conducting authorized City business. The policy assures that payments made by the City are for actual and necessary expenses incurred for City business as well as ensuring that City employees and officials will received advances/reimbursements in a timely manner.

VEHICLE POLICY:

City provided vehicles shall be used only for official City business.

I. Transportation Types:

The following transportation options listed below are potentially available for conducting City business.

A. City Vehicles

Use of City-Owned Vehicles - REMIF's liability coverage extends to include use of all city-owned vehicles when an employee or volunteer is driving the vehicle on city business. The employee or volunteer must not use city vehicles for unauthorized purposes. The coverage agreement states that coverage extends to "any person while using a city-owned automobile – provided the actual use of the automobile is by or with the permission of the named "covered party." Although "permission" is usually broadly interpreted by courts, if city employees or volunteers are made aware of this limitation, it should provide them with additional incentive to obey regulations concerning use of vehicles. In any case, the city always has the full protection of the coverage agreement.

1. Special Purpose Vehicles: Vehicles whose primary use requires special equipment designed to perform job functions, or whose primary use is in a restricted area where non-City vehicles are prohibited.
2. Police and Fire Vehicles: Vehicles whose primary use involves official business conducted by the Police or Fire Departments.
3. Take-Home Vehicles: Take-home vehicles are to enable after-hours emergency response by authorized City employees who are on standby duty assignments that require Special Purpose vehicles. Authorization for a take-home vehicle is granted to a classification meeting the requirements as described below, and in no event does authority for a take-home vehicle belong to any specific City employee who is not in a classification that meets the requirements. This means that an individual employee previously granted authorization for a take-home vehicle whose assignments are updated and no longer require Special Purpose vehicles is no longer authorized for a take-home vehicle. Non-City employees shall not be permitted to take City vehicles home under any circumstances.
 - a. The employee is required to be on standby duty and must respond to after hour emergencies; and
 - b. The standby duty job function requires a Special Purpose vehicle; and
 - c. The employee responding to the call-back will be able to respond to the first call-back instance and be onsite within a maximum of 30 minutes of the call; and
 - d. The one-way commute miles of the employee assigned to call-back duty do not exceed 30 miles; and
 - e. The Department Director has received authorization from the City Manager's Office for take-home use of the vehicle.

B. Employee-Owned Vehicles

Use of privately-owned vehicles on City business. If employees or volunteers receive a mileage allowance for use of personally-owned vehicles on city business, such persons should be advised that:

1. The mileage allowance is intended to cover the city's share of the employee or volunteer's personal auto insurance premium.
2. Each employee or volunteer is expected to maintain an automobile insurance policy whether or not they receive a mileage allowance.

3. Each such policy should be maintained with liability limits of no less than:

- a) *\$100,000 per person Bodily Injury; \$300,000 per accident Bodily Injury; \$100,000 per accident Property Damage; or
- b) *\$300,000 Combined (Bodily Injury and Property damage) single limit.

* In the event that the personal auto insurance policy does not align with these liability limits, use of a private vehicle to conduct City business is not authorized.

4. Each such policy is primary coverage in the event of a loss or claim, with REMIF coverage applying in excess.

The form Authorization to Use Privately-Owned Automobiles on city business should be completed and filed with the appropriate office designated by the City Manager or his/her designee. A diary system should be maintained to assure that policies are in force (Exhibit A)

In order to protect the city's interests no employee or volunteer should be allowed to drive a vehicle on city business until the city has verified that the employee or volunteer has a valid driver's license. Verification is the responsibility of the employee's supervisor.

Once authorized by the Department Director (or designee) to use an employee-owned vehicle, employees will be eligible for mileage reimbursement subject to the provisions of the Mileage Reimbursement as follows:

- a. Authorized employees will be compensated for the use of their automobiles on City business at the prevailing mileage reimbursement rate for employee business use of private automobiles as established and used the Internal Revenue Service (IRS) standard mileage rate. For miles driven on or after January 14, 2018, the City's mileage reimbursement rate shall be \$.545 per mile and will be re-evaluated when the IRS issues a new rate. Any changes to this rate will be updated on the Mileage Reimbursement Form.
- b. Mileage from the employee's home to the first point of duty, and from the last point of duty to home will not be considered as City business, unless the employee's first or last point of duty is outside of City of Sebastopol limits. Immediate supervisors are responsible for ensuring that employees provide appropriate documentation for all trips for which reimbursement is requested. Examples of appropriate documentation include online map distance data; or trip beginning/ending odometer readings. Employees are encouraged to discuss documentation alternative with supervisors prior to traveling.
- c. In instances when an employee's first and/or last point of duty is outside City of Sebastopol limits, an employee shall be reimbursed for the number of miles driven between the employee's home and the first and/or last point of duty, minus the number of miles the employee normally commutes from home to and/or from the employee's regular work location.

- d. Employees requesting mileage reimbursement shall complete the Mileage Reimbursement Claim Form. Claims should typically be submitted to the employee's supervisor and timekeeper for approval within thirty (30) calendar days of when the travel occurred. However, routine (i.e. for short daily or weekly errands) mileage reimbursement can be submitted quarterly. At the end of a fiscal year end, employees shall submit all mileage reimbursement claimed through June 30th no later than July 31st. Claims outside the timeframes described shall be paid only by approval of the City Manager or his/her designee.
- e. Report only travel on authorized City business. If the continuity of a day's travel is interrupted by a personal trip, deduct this trip from the mileage claim.
- f. Report only beginning and ending mileage during working hours, related to official City business.
- g. Adequate explanation of locations covered must be shown. Where applicable or required by the supervisor, indicate assigned area and number of trips.
- h. Employees shall sign all mileage reimbursement claim forms and submit the claim to the supervisor or department director or designee for approval. Employees who submit false claims for mileage reimbursement are subject to disciplinary action, up to and including termination.

II. Qualifications for Employees Operating Vehicles

- a. The City recognizes the benefit of the assignment of City-owned vehicle to specific employees, officials, or volunteers for City related business. City vehicle, property, materials, supplies, tools, and equipment are intended for the maintenance and operations of the City and shall be readily available for use of authorized City staff. Authorization for use of such vehicles must be controlled and limited to business use only. Personal items or information shall not be stored in City vehicles. Any loss, damage or misuse of personal items stored in City vehicles shall not be the responsibility of the City. No personal or political use of any City property, materials, supplies, tools, equipment is permitted, except for de minimus vehicle use by authorized staff for benefit of the City.
- b. City employees who drive a vehicle in the course of conducting City business must possess a valid California State Driver License appropriate to the type of vehicle being driven. Employees authorized to use special purpose vehicles will maintain and comply with vehicle specific training and licensing requirements as defined by any relevant rules and regulations, and/or the California Department of Motor Vehicles, and/or the employee's job classification minimum qualifications.
- c. Per employee's job classification to maintain and possess an appropriate operator's license issued by the State Department of Motor Vehicle, therefore, employees required to drive a vehicle on City business shall notify their supervisor in writing of the suspension, revocation, cancellation, expiration, lost privilege, disqualification, or other action affecting the status of their driver license or their authority to drive a vehicle. The effective date for notification must be made no later than the first workday following the day the employee received notice of the suspension, revocation, cancellation, expiration, lost privilege, disqualification, or other action affecting the status of their

driver license or their authority to drive a vehicle.

- d. If an employee is notified that an action MAY be taken which could affect the employee's license, including the possible suspension, revocation, cancellation, expiration, lost privilege, disqualification, or other action affecting the status of their driver license or their authority to drive a vehicle, the employee shall notify their supervisor as soon as practicable, but in no case more than five (5) working days following the day the employee received notice of the potential action. The employee shall continue to keep their supervisor informed of any further changes or updates regarding their driving status.
- e. Employees cannot drive their vehicles on City business unless all of these requirements are met. Employees are specifically required to immediately contact their supervisor if, at any time, there is a change to these requirements or they do not meet all of the requirements.
- f. Employees who are unable to comply with these requirements shall not be permitted to drive any vehicle (City or personal) to conduct City business and may not drive onto any City property or City facility.

III. Conditions of Vehicle Use

City and employee owned vehicles used for City business shall be operated in a manner consistent with all safety and legal requirements. Vehicles authorized for use based on this Policy shall only be used to conduct official City business.

A. Transportation of Passengers and Goods

Vehicles driven to conduct official City business should not be used to transport any passengers other than authorized City employees on official City business or persons directly related to the official City business being conducted. Nothing herein shall be construed to prohibit the carrying of any person or persons in case of accident or emergency.

City owned vehicles should not be used to transport any items or goods that are not the property of the City, unless such transportation is directly related to official business being conducted by the City.

B. Vehicle Idling

In order to reduce emissions that are a result of idling diesel and gasoline engines, no City-owned diesel or gasoline powered vehicles/equipment or stationary engines may idle for more than five (5) consecutive minutes, with the following exceptions:

- Idling when queuing;
- Idling to verify that the vehicle is in safe operating condition;
- Idling for testing, servicing, repairing or diagnostic purposes;
- Idling when it is necessary to accomplish work for which the vehicle was designed (such as operating a crane or when emergency vehicles used by Police and Fire are at the scene of an incident);
- Idling to bring the machine system to operating temperature; and
- Idling to ensure safe operation of the vehicle and/or of the occupants.

For the purpose of this section, queuing shall mean the intermittent starting and stopping of a vehicle while the driver, in the normal course of doing business, is waiting to perform work or a service, and when shutting the vehicle engine off would impede the progress of the queue and is impracticable. Queuing does not include the time a driver may wait motionless in line in anticipation of the start of a workday or a location where work or a service will be performed.

C. Cellular Telephone Safety While Driving

1. Wireless Telephones

Employees shall not use their wireless telephone (either City issued phones or personal phones) while driving on City business or while conducting City business unless the telephone is designed and configured to allow hands free listening and talking, and is used in that manner while driving. Even when using a hands-free wireless telephone, conducting City business on a cellular telephone while driving should be kept to a minimum and only done when necessary. This section does not apply to an employee or non-City employee using a wireless telephone for emergency purposes (such as calling 911) while driving on City business.

2. Electronic Wireless Communication Devices

Employees shall not use an electronic wireless communication device to write, send, or read a text-based communication while driving on City business. "Write, send, or read a text-based communication" means using an electronic wireless communications device to manually communicate with any person using a text-based communication, including, but not limited to, communications referred to as a text message, instant message, or electronic mail.

3. Sworn Police and Fire Personnel and Volunteers

Sworn police and fire personnel and volunteers using wireless telephones and electronic wireless communication devices in the course and scope of their duties shall do so in accordance with their respective Duty Manuals and applicable policies and procedures relating to the use of wireless telephones and electronic wireless communication devices.

IV. Collision/Accident Reporting

- A. Non-sworn Employees - Reporting of vehicle collisions or accidents by City employees driving a City-owned vehicle or their authorized personal vehicle on City business is required. Reporting must be prompt, accurate and complete. These reports shall be made within no less than 24 hours (or 48 hours if the accident occurs on a weekend) to the employee's immediate supervisor. In all cases, accident reports involving city-owned equipment shall be provided to the City Manager's Office.

Incidental damage to a vehicle or equipment, defined as damage while the vehicle is unattended or damage such as a broken windshield from a flying rock must also be reported to the employee's immediate supervisor. In all cases, incidental damage to city-owned equipment shall be reported to the City Manager's Office.

The reporting procedure to be followed by City employees and non-City employees who are involved in a vehicle accident while driving a City-owned or authorized personal vehicle on City

business shall be as follows:

- a) Stop immediately and render aid if such is necessary.
- b) Call the police. Tell the police this is an accident involving a City owned vehicle or authorized private vehicle on City business.
- c) Do not make or sign statements for anyone except the police.
- d) Obtain the Accident Report and give it to the supervisor, who is responsible for the services being provided by the City or non-City employee. The Department Director will route one copy of the accident report to the City Manager's Office.

B. Sworn Police and Fire Personnel - Reporting of vehicle collisions or accidents by sworn Police and Fire personnel driving a City-owned vehicle or their authorized personal vehicle while in the course and scope of their duties shall do so in accordance with their respective Duty Manuals and applicable policies and procedures relating to vehicle collisions or accidents. In all cases, accident reports involving city-owned equipment shall be provided to the City Manager's Office.

V. **Traffic and Parking Citations**

Traffic and/or parking citations issued to a City employee while using a City or authorized personal vehicle on City business are the sole responsibility of the employee receiving the citation.

Travel & Reimbursement Policy

The purpose of The Employee Travel Policy is to provide guidelines for authorization of travel; and reimbursement and payment of travel expenses. This policy is not intended to cover short trips during work hours made by employees in the course of their regularly assigned work duties. In all areas, not just in economy pricing, officials and employees are responsible for exercising good judgement in requesting, arranging, and making a trip. Trips should be planned in advance if possible. Personal business should not be mixed with official business if it will cost the City anything in dollars or lost time, or if it will harm the City's interest in any way.

- I. **Traveler Accountability** - The Travel Policy is in place to provide accountability to employees traveling for the purpose of benefiting the City. Travelers are responsible for ensuring compliance with this Policy, as may be amended from time to time.

How will you travel?

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

- Possess a valid California driver's license.
- Carry liability insurance limits required by the City's Redwood Empire Municipal Insurance Fund.
- Realize that any damage to your car, needed service or repair occurring on the trip will be your responsibility, as these costs are included in the City's per mile cost reimbursement.

If a car rental is required, you shall use a City credit card or request reimbursement when you return. Car rentals must have prior approval from the City Manager or his/her designee.

When will you travel?

You should schedule your trip so that you depart at the latest reasonable hour and still arrive at your destination on time. You should also return promptly when your business is finished, thereby minimizing the time away from work and ensuring full reimbursement of all related expenses.

Where will I stay?

The City will pay for a single room (including taxes and parking) for as many nights as necessary. The accommodations used should be clean, safe, economical ~~but~~ and practical. For example, it is preferable to stay at the hotel where a conference is held, even if that hotel may be slightly more expensive than others in the area. Location is also important; a hotel close to where you will be conducting business may be slightly more expensive than outlying hotels, but it may be easier to achieve the City's travel goal by staying at closer location. In general, you should stay at the most reasonably priced accommodations available consistent with the purpose and goals of your travel. If you have a question about using a particular hotel, obtain concurrence or direction from your Department Head before making a reservation.

Should you make reservation?

Whenever possible, you should make reservations. They are often required for large conferences. You shall use a City credit card to confirm reservations. Be sure to cancel any reservations you will not use. If the City is charged for an unused reservation, you will be billed for that charge unless circumstances requiring cancellation were reasonably beyond your control.

II. Travel Authorizations

Travel authorizations (TA's) are required approval of Department Heads, and out of state travel requires the further approval of City Manager or his/her designee. Department Heads approving travel authorizations are responsible for determining that the cost is reasonable and justified by the trip's purpose. They should be certain that:

- a. The purpose cannot be accomplished by mail or telephone.
- b. The seminar, meeting or conference is necessary to accomplish key City goals and objectives and is unavailable locally if overnight accommodations are required.
- c. The minimum number of City staff members are going.
- d. The itinerary ensures accomplishment of the purpose at the lowest reasonable cost.
- e. The traveler understands and follows these guidelines.
- f. There is adequate funding in the appropriate travel budget to cover the costs.

Ultimately, the responsibility for following these guidelines and exercising good judgment in the use and stewardship of the City's resources rest with each City employee traveling on City business.

Requests for Payments to Vendors

The City will pay all legitimate expenses of your trip. These include transportation, lodging, registration fees, meals and any other related expenses if they are for official business and fit within these guidelines.

In advance booking payment for transportation, e.g. airfare, City authorized credit card shall be utilized for the transaction. Each department director has been issued a credit card. Credit cards are issued pursuant to the City Purchasing Policy#89.

Direct vendor payments are made by the City to an organization to pay for specific costs related to a trip (usually registration fees) through Accounts Payable.

To obtain either direct vendor payments you must complete the appropriate sections of the TA (Exhibit B) and attach payment requests for all payments.

III. Making The Trip

There are two key "golden rules" to remember about making an official trip:

- a. Keep it official.
- b. Keep records for all expenses.

Keeping It Official

If you take time away from official business for personal matters, or if you delay your return after completing your business, you will not be reimbursed for expenses incurred during that time. When combining business and personal travel in this manner, Department Head approval is required. If this extended period occurs during your regular scheduled work hours, the time will be counted as vacation, comp time (if available) or leave without pay.

Keeping Records for All Expenses

As discussed below under Accounting for Expenses, you must maintain a detailed record of all expenses incurred during your travel: meals, transportation, lodging, baggage handling, parking fees, registration fees, telephone and any other reasonable and necessary expenses. It is important to save receipts to be able to claim for reimbursement. Unless otherwise approved by the City Manager or his/her designee, payments will not be issued for reimbursement requests without receipts.

Meal Allowances:

The General Services Administration (GSA) sets per diem rate on a monthly basis for each of the 59 counties in California. Per diems are broken down county-by-county. The average 59 counties in California for meals rate is \$59.81. The allowable maximum amount, unless otherwise approved by the City Manager or his/her designee, is \$60.00* per day (including beverages, taxes and gratuities) for meals, which reimbursement is available on presentation of supporting receipts and conference agenda to document amounts spent while travelling and completion of an expense report upon returning from your travel.

*The following break-down applies to partial day of meal allowance.

- If your conference is between 7:00 a.m. to 11:00 a.m. – breakfast only allowance \$10.00

- If your conference is between 11:00 a.m. to 4:00 p.m. – lunch only allowance \$20.00
- If your conference is beyond 4:00 p.m. – dinner only allowance \$30.00

Breakfast	\$10.00
Lunch	\$20.00
Dinner	<u>\$30.00</u>
Total Per Diem	<u>\$60.00</u>

- If the event is scheduled to take place all day from 7:00 a.m. to 5:00 p.m., you are entitled to the full \$60.00 meal allowance.

Alcoholic Beverages

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

Spouses and Guests

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

IV. Accounting for Expenses

When you return from your trip or official function, a final accounting of all expenses must be approved by your Department Head and submitted to Finance within ten working days. An expense report is always required.

The final accounting is made by completing the Expense Report (Exhibit B). After completing the expense report, you should attach required receipts, sign the report attesting to its accuracy and submit it to your Department Head for review and approval.

Department Heads approving expense reports are responsible for ensuring that:

- All expenses are reasonable, necessary and consistent with these guidelines.
- Any required receipts are attached.
- The final disposition is correct.
- Final accounting of all expenses is submitted to Finance.

Upon approval by the Department Head, the expense report should be forwarded to Finance along with a claim for payment to you; the reimbursement will be processed in accordance with the Accounts Payable calendar.