



*City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus*

SPECIAL MEETING
POLICY BOARD
STANCOG BOARD ROOM
1111 I STREET, SUITE 308
MODESTO, CA
NOVEMBER 4, 2015 (WEDNESDAY)
6:30 PM

Board Agendas and Minutes: Policy Board agendas, minutes and copies of items to be considered by the StanCOG Policy Board are available at least 72 hours prior to the meeting at the StanCOG offices located at 1111 "I" Street, Suite 308, Modesto, CA during normal business hours. The documents are also available on StanCOG's website at www.stancog.org/policy-board.shtm.

Materials related to an item on this Agenda submitted to the Policy Board after distribution of the agenda packet are available for public inspection at the address listed above during normal business hours. These documents are also available on StanCOG's website, subject to staff's ability to post the documents before the meeting.

Public Comment Period: Matters under the jurisdiction of the Policy Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Policy Board for consideration. However, California law prohibits the Policy Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Policy Board. Any member of the public wishing to address the Policy Board during the "Public Comment" period will be limited to 5 minutes unless the Chair of the Board grants a longer period of time. At a Special Meeting, members of the public may address the Board on any item on the Agenda at the time the item is considered by the Board.

Public Participation on a Matter on the Agenda: Please step to the podium at the time the agenda item is announced by the Chairperson. In order to ensure that interested parties have an opportunity to speak, any person addressing the Policy Board will be limited to a maximum of 5 minutes unless the Chair of the Board grants a longer period of time.

Reasonable Accommodations: This Agenda shall be made available upon request in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Cindy Malekos at (209) 525-4600 during regular business hours at least 72 hours prior to the time of the meeting to enable StanCOG to make reasonable arrangements to ensure accessibility to this meeting.

Notice Regarding Non-English Speakers: StanCOG Policy Board meetings are conducted in English and translations to other languages is not provided. Anyone wishing to address the Policy Board is advised to have an interpreter or to contact Cindy Malekos at (209) 525-4600 during regular business hours at least 72 hours prior to the time of the meeting so that StanCOG can provide an interpreter.

Aviso con Respecto a Personas que no Hablan el Idioma de Inglés: Las reuniones de la Mesa Directiva del Consejo de Gobiernos de Stanislaus son conducidas en Inglés y traducciones a otros idiomas no son disponibles. Cualquier persona que desea dirigirse a la Mesa Directiva se le aconseja que traiga su propio intérprete o llame a Cindy Malekos al (209) 525-4600 durante horas de oficina regulares o a lo menos 72 horas antes de la reunión de la Mesa Directiva del Consejo de Gobiernos de Stanislaus, para proporcionararle con un intérprete.

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

4. PUBLIC COMMENTS

These matters may be presented only by interested persons in the audience. Discussion is limited to five minutes or at the discretion of the Chair

5. PRESENTATION

- A. Godbe Research Update and Discussion and Possible Action Regarding Transportation Expenditure Plan and Tax Measure

6. DISCUSSION/ACTION ITEMS

- A. Motion to Adopt the Revised Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials – Revised for Travel by Privately-Owned Aircraft

7. CALTRANS REPORT

8. EXECUTIVE DIRECTOR REPORT

9. MEMBER REPORTS

10. ADJOURNMENT

Next Regularly Scheduled Policy Board Meeting:

November 18, 2015 (Wednesday) @ 6:00 pm

StanCOG Board Room

1111 I Street, Suite 308

Modesto, CA 95354



DISCUSSION & ACTION ITEMS



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TO: Policy Board **Staff Report**
Motion

THROUGH: Rosa De León Park, Executive Director

FROM: Karen Kincy, Accounting Technician

DATE: October 28, 2015

SUBJECT: Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials – Revised for Travel by Privately-Owned Aircraft

Recommendation

By Motion:

Adopt the attached revised Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials.

Background

On August 21, 2013, the StanCOG Policy Board adopted the Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials. This policy provides legal provisions for travel reimbursements to Elected and Appointed Officials based on the 2006 Assembly Bill 1234 of the State of California.

Discussion

It is important, as elected and appointed officials, for the StanCOG Policy Board to remain informed and up-to-date on issues related to transportation by participating in various meetings, conferences or other gatherings.

Since August 2013, StanCOG has had a policy to allow for travel reimbursement to board members consistent with Government Code section 53232.2 authorizing local agencies to reimburse its legislative body members for “actual and necessary expenses incurred in the performance of official duties.”

The proposed revision to the current policy will add a provision and criteria for reimbursement for travel by privately-owned aircraft. The proposed changes are consistent with reimbursement outlined in the California Code of Regulations 599.628.1 Transportation by Aircraft – Excluded Employees, Section B, and IRS Privately Owned Vehicle (POV) Mileage Reimbursement Rates – Airplane published in the Federal Register December 30, 2014.

The attached revised policy outlines criteria for travel by privately-owned aircraft in Section D, Item 5, Privately-Owned Aircraft. Once approved by motion, and provided all criteria are met by an elected or appointed official, it will allow reimbursement for this method of travel subject to approval by the Executive Director.

Should you have any questions regarding this staff report, please contact Rosa De León Park, Executive Director, at 209-525-4600 or via e-mail at rpark@stancog.org.

Advisory Committee

This staff report is being presented to the Policy Board only for review and action on this item.

Attachments:

Stanislaus Council of Governments Policy for Reimbursement for Travel and Expenses for Elected and Appointed Officials.

**STANISLAUS COUNCIL OF GOVERNMENTS
POLICY FOR REIMBURSEMENT
FOR TRAVEL AND EXPENSES
FOR ELECTED AND APPOINTED OFFICIALS**

The Board of Directors of the Stanislaus County Council of Governments (“STANCOG”) believe that it is important that elected and appointed officials remain informed and trained in issues affecting the affairs of STANCOG and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to STANCOG and its citizens. The benefits include:

- a.) The opportunity to discuss the community’s concerns with state and federal officials;
- b.) Participation in regional, state and national organizations whose activities affect STANCOG;
- c.) Attending educational seminars improve official’s skill and information levels; and
- d.) Promoting public service and morale by recognizing such service.

In order to promote these endeavors, to protect public resources and foster public trust in the use of those resources, as well as comply with the state law requirements regarding reimbursement of expenses, STANCOG hereby sets forth the travel and expense reimbursement policies for STANCOG.

A. AUTHORIZED EXPENSES

1. All anticipated conferences, conventions and professional meetings shall be budgeted for the current operating budget. As the trip is being paid for with public funds, it shall be the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible.
2. STANCOG funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized STANCOG business. Expenses incurred in the 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 local, regional, state and national government on STANCOG adopted policy positions;
 - b.) Attending educational seminars designed to improve officials’ skill and information levels;
 - c.) Participating in local, regional, state and national organizations whose activities affect STANCOG interests;
 - d.) Recognizing service to STANCOG (for example thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
 - e.) Attending STANCOG events;
 - f.) Meetings such as those listed above for which a meeting stipend is expressly authorized under this Policy.

All other expenditures require prior approval by STANCOG.

B. EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT

Examples of personal expenses that STANCOG 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 agency-related business, as well as children or pet-related expenses;
4. 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. Alcohol/personal bar expenses;
6. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
7. Personal losses incurred while on STANCOG business.

Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

C. COMPENSATION FOR ATTENDANCE AT MEETINGS

STANCOG shall not compensate Board members for meeting attendance.

D. TRANSPORTATION

When attending conferences or meetings that are of such distance that it is more economical to take commercial air transportation, if an official proposes to drive his/her car in those cases, the commercial air fare value will be paid and not the automobile mileage. Government and group rates must be used when available.

1. Airfare. Airfares that are reasonable and economical shall be eligible for purposes of reimbursement.
2. Automobile. Automobile mileage is reimbursed at Internal Revenue Service ("IRS") rates in effect at the time of travel. 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.
3. Car Rental. Rental rates that are reasonable and economical shall be eligible for purposes of reimbursement.
4. Taxis/Shuttles. Taxis or shuttle fares may be reimbursed, including a 15% 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 transportation is necessary for time efficiency.
5. Privately-Owned Aircraft. A claim of a member for transportation by privately-owned aircraft shall be allowed where he/she has obtained prior approval of the use of this form of

transportation from StanCOG's Executive Director. If a member is to act as pilot, he/she must satisfy the following insurance requirements:

(1) certificate of current insurance in an amount of not less than \$50,000 per person liability and
(2) certificate of current insurance in an amount of not less than \$1,000,000 liability per incident.

(3) Reimbursement for the use of the member's privately-owned aircraft shall be made at the current IRS rate per statute mile (see Privately Owned Vehicle (POV) Mileage Reimbursement Rates published by GSA and published in Federal Register.) Claims for reimbursement for privately-owned aircraft expenses must include the civilian airplane license number and the name of each state officer; employee; or board, commission, or authority member transported on the trip. No reimbursement of transportation expenses will be allowed any member while a passenger in any airplane operated by another officer, employee or member.

(A) Distance shall be computed on the basis of shortest air route from origin to destination, using airways whenever possible. Distance shown on claim shall be clearly marked "Air Distance".

(B) When substantiated by a receipt, reimbursement will be made for actual and necessary expenses for landing and parking fees in connection with the use of the aircraft. Reimbursement will not be allowed for storage or parking fees at the location where the privately-owned aircraft is normally stored.

(6) If a member is to act as pilot and carry passengers he/she must, in addition to Federal Aviation Administration regulations, have previously logged as a certified pilot, at least 250 hours of actual flight as pilot in command of an aircraft. In addition, the employee pilot must have logged, as a pilot in command of an aircraft, at least 40 hours of actual flight within the preceding 12 months.

Any member pilot who has carried or intends to carry passengers may be required to present his/her log book substantiating that he/she meets the requirements. Passenger shall be defined as any person other than the pilot traveling in the aircraft. A member pilot who carries a passenger but fails to meet the above qualifications shall not be reimbursed for transportation expense.

(7) Members are expected to use reasonable judgment when using agency funds. Private aircraft rates will be accepted with proper documentation. The Executive Director, and his or her designee, shall insure that the most cost effective method is selected.

E. LODGING

Lodging expenses will be reimbursed or paid for when travel on official STANCOG business reasonably requires an overnight stay. 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. Travelers must request government rates, when available. If the group rate is not available, reimbursement at the IRS rate in effect at the time of travel shall apply (RS publication 463).

F. MEALS

A local reimbursement policy identifying a 'per diem' of reasonable rates for meals is not adopted. Receipts for expenses for meals shall be required. Actual expenses shall be reimbursed subject to maximum per diem for meal as set by the IRS rate in effect at the time of travel. (see Cal. Gov't code § 53232.2(c) and U.S. GSA website: www.policyworks.gov/perdiem.) STANCOG will not pay for alcohol/personal bar expenses.

G. MISCELLANEOUS

Officials will be reimbursed for actual telephone, fax and parking expenses incurred on STANCOG business. Telephone bills should identify which calls were made on STANCOG business.

H. CREDIT CARD USE POLICY

STANCOG does not issue credit cards to individual office holders but does issue credit cards to StanCOG managers. STANCOG managers may use STANCOG's credit card on behalf of office holder for such purposes as airline tickets and hotel reservations. Receipts documenting expenses incurred on STANCOG credit cards and compliance with this policy must be submitted within (5) working days of use. STANCOG credit cards may not be used for personal expenses, even if the official subsequently reimburses STANCOG.

I. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINES

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by STANCOG. This form shall include the following advisory:

"All expenses reported on this form must comply with the STANCOG 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 STANCOG 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. Officials must submit their expense reports within thirty (30) calendar 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, and not being eligible for reimbursement by STANCOG.

In the event the official does not attend the trip and non-refundable expenses have been incurred for registration, lodging and/or travel, the non-attending official shall submit a written explanation for non-attendance to STANCOG Policy Board. STANCOG Policy Board shall determine if the public funds advanced must be reimbursed to STANCOG. Any decision of STANCOG may be appealed to the Board of Directors.

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

J. REPORT TO BOARD

At the next regular Board of Directors meeting, each official shall briefly report on meetings attended at STANCOG expense. If multiple officials attended, a joint report may be made.

K. COMPLIANCE WITH LAWS; VIOLATION

STANCOG officials should keep in mind that some expenditures may be subject to reporting under Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other applicable laws. 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 STANCOG, 3) the agency's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties up to \$1,000.00 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.