

RESOLUTION NO. 2025-066

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AMENDING THE POLICY GOVERNING EXPENSES FOR THE CITY
COUNCIL**

WHEREAS, the City of Union City takes its stewardship over the use of its limited public resources seriously; and

WHEREAS, public resources should only be used when there is a substantial benefit to the City; and

WHEREAS, such benefits include participation in regional, state and national organizations whose activities affect the City, as well as attendance at conferences and events related to the City and its residents; and

WHEREAS, Councilmembers sometimes participate, in their official capacity, as a representative of the City at events benefitting civic, cultural, charitable and educational organizations that serve or benefit City residents; and

WHEREAS, Councilmembers' attendance at these types of events provides a substantial benefit to the City; and

WHEREAS, the City Council previously adopted a policy to provide standards on the use and expenditure of City resources in accordance with the requirements of Government Code sections 53232.2 and 53233.3; and

WHEREAS, in 2025, the City Council referred consideration of the City Council travel and expense budget to the Legislation & Policy Committee; and

WHEREAS, the Legislation & Policy Committee considered the City Council travel and expense budget and now recommends an amendment to the Policy Governing Expenses of the City Council.

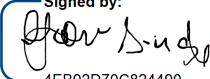
NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Union City hereby approves an amendment to the Policy Governing Expenses of the City Council attached hereto as **Exhibit A**, with revisions reflected in strikethrough and underline for reference, in accordance with Government Code sections 53232.2 and 53233.3.

BE IT FURTHER RESOLVED THAT the policy contained in **Exhibit A** shall supersede and control over any previously adopted policy regarding the same matters.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 13th day of May 2025 by the following vote:


AYES:	Councilmembers Nishihira, Patiño, Wang, Vice Mayor Sakakihara, and Mayor Singh
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:

Signed by: 
4EB92D70C824490

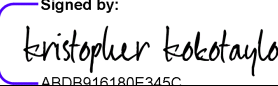
GARY SINGH
 Mayor

ATTESTED:

Signed by: 
DF989B58B4B44A8

THAI NAM N. PHAM
 City Clerk
 5/15/2025

APPROVED AS TO FORM:

Signed by: 
ABDB916180E345C

KRISTOPHER J. KOKOTAYLO
 City Attorney

Attachments:

1. Exhibit A – Amended Policy Governing Expenses of the City Council

CITY COUNCIL POLICY

Subject: Policy Governing Expenses of the City Council

Adopted: May 13, 2025

I. PURPOSE

- a. City Councilmembers must incur miscellaneous expenses in fulfilling the responsibilities of an elected official. This policy establishes the guidelines and standards regarding miscellaneous expenditures incurred by members of the City Council for all travel, education, training, communications, and all out-of-pocket expenses.
- b. Out-of-pocket expenses incurred by a Councilmember in the performance of their official duties as a representative of the City are eligible for reimbursement as provided in this policy. The guidelines established in this policy are to ensure that travel expenses serve a public purpose and benefit to the City.

II. AUTHORIZED EXPENSES.

- a. 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; and
 4. Attending City events.

All other expenditures require prior approval by the City Council. In addition, expenses for international travel requires prior City Council approval.

- b. State law prohibits personal use of public resources. 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 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. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
6. Personal losses incurred while on City business.

Expenses for which City Councilmembers receive reimbursement from another agency are not reimbursable under this Policy. Any questions regarding the propriety of a particular type of expense should be resolved by the City Manager before the expense is incurred.

III. BUDGET.

- a. Councilmembers shall not incur more expenses per year than budgeted. These amounts will be established in a set amount per Councilmember during the biennial budget process. Annually, at the first regular City Council meeting in May, any Councilmember that does not intend to expend their budgeted travel funds during the remainder of the fiscal year may voluntarily elect to relinquish those funds. The decision to relinquish funds is final and irrevocable. Relinquished funds will be evenly distributed to Councilmembers that have elected to not relinquish their funds for the remainder of the fiscal year. The relinquished funds will continue to be evenly distributed until outstanding expenses have been reimbursed for each Councilmember that has elected to not relinquish their funds and shall continue to be distributed until there are no outstanding expenses left or until the relinquished funds have been completely exhausted. In no event will the redistributed amount be greater than an additional amount of \$2,000 per Councilmember. City Councilmembers are not eligible to receive additional budget except through the process outlined in this subsection.
- b. Councilmembers who incur expenses greater than the maximum permitted by this policy shall be responsible for the excess expenses.

IV. 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.

- a. 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.
 1. 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) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. Receipts are required for payment or reimbursement of airfare.
 2. Automobile. Automobile mileage is reimbursed at the Internal Revenue Service rate in effect at the time of travel. The reimbursement rate is 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. 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. Receipts are required for payment or reimbursement of car rental expenses.
 4. Taxis/Shuttles. Taxis, shuttles, or rideshare trips (such as Lyft/Uber) 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.
- b. Lodging. Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. Receipts are required for payment or reimbursement of lodging expenses.
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 next section.
 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 than government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

If lodging rates exceed the government rate for the area, actual lodging costs may be reimbursed conditioned upon performance of a good faith effort evidenced by documentation (e.g., internet search or phone calls) that demonstrate an attempt to find median-priced lodging.

- c. Meals. Meal expenses and associated gratuities will be reimbursed up to the regular federal M&IE per diem rate established for Oakland, California, in effect at the time the meal expenses are incurred. ~~The regular federal M&IE per diem rate for Oakland at the time of the adoption of this policy allocated by meal is as follows:~~

- ~~1. Breakfast: \$16~~
- ~~2. Lunch: \$17~~
- ~~3. Dinner: \$28~~
- ~~4. Incidental Expenses: \$5~~
- ~~5. Total: 66~~

The City will not pay for alcohol/personal bar expenses or for meal expenses for third parties.

- d. Airport Parking. Long-term parking must be used for travel exceeding 24 hours. Receipts are required for payment or reimbursement of parking expenses.

V. CASH ADVANCES RESERVED.

- a. ~~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 the City;~~
 - 3. ~~The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and~~
 - 5. ~~The dates of the expenditure(s).~~
- b. ~~Any unused advance must be returned to the City within seven (7) days of the official's return, along with a City expense report and receipts documenting how the advance was used in compliance with this expense policy.~~
- c. ~~In the event the City Manager is uncertain as to whether a request complies with this policy, such individual must seek resolution from the City Council.~~

VI. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINE.

All cash advance expenditures expense reimbursement requests must be submitted on an expense report form provided by the City. Councilmembers must submit their expense reports within 45
~~30~~ days of an expense being incurred, accompanied by receipts documenting each expense. Inability to provide such documentation in a timely fashion will result in the expense being borne by the official. Expenses for which no receipt is provided shall not be eligible for reimbursement. At the request of the City Manager, a Councilmember shall submit additional information explaining how the incurred expense complied with this policy.

VII. ELECTRONIC EQUIPMENT

- a. Computers. Councilmembers are required to have certain types of office equipment to discharge their functions and communicate with staff. Accordingly, Councilmembers will be provided with a laptop, tablet, or similar device to assist with carrying out their duties. Councilmembers will also be provided with reasonable IT support to ensure the security and functionality of the device.
- b. Cell Phone. As a representative of the City, the Mayor communicates frequently with constituents, community groups and other regional leaders. To facilitate this communication on behalf of the City, the Mayor shall be provided a cellular telephone.
- c. Requirements. The City's IT ~~Manager~~ Director will provide the City Council with technology options for selection and use ~~be responsible for selecting the equipment to be~~

~~provided to Councilmembers~~ pursuant to this section. Any electronic equipment provided to a Councilmember shall be used exclusively for City business reasonable necessary to discharge the duties of office and shall be immediately returned to the City upon the Councilmembers leaving office

VIII. AUDITS OF EXPENSE REPORTS.

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

IX. REPORTS TO CITY COUNCIL.

At the following City Council meeting, each official shall briefly report orally or in writing on meetings attended at Council expense. If multiple officials attended, a joint report may be made.

X. COMPLIANCE WITH LAWS.

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

XI. 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 the City; (c) the City's reporting the expenses as income to the elected official to state and federal tax authorities; (d) civil penalties of up to \$1,000 per day and three times the value of the resources used; and (e) prosecution for misuse of public resources.