

**ORDINANCE NO. 08-13**

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING  
THE REIMBURSEMENT OF CITY COUNCILMEMBERS  
FOR ACTUAL AND NECESSARY EXPENSES INCURRED  
IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES**

THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES ORDAIN AS  
FOLLOWS:

**SECTION 1. Recitals.**

- (a) Government Code section 36514.5 authorizes the reimbursement of City Councilmembers for their actual and necessary expenses incurred in the performance of their official duties.
- (b) In order to reimburse City Councilmembers for their actual and necessary expenses incurred in the performance of their official duties, State law requires the City Council to adopt a written policy, in a public meeting, specifying the types of occurrences that qualify a City Councilmember to receive reimbursement.

**SECTION 2. Authorization for Reimbursement.** The Interim City Manager, or his designee, is authorized to reimburse the members of the City Council for their actual and necessary expenses incurred in the performance of their official duties in accordance with the written policy attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION 3. Declaration of Facts Constituting Urgency.** It is necessary that this ordinance take effect immediately in order to ensure that the City Councilmembers may be reimbursed for their actual and necessary out of pocket expenses incurred while performing their official duties. If this ordinance does not take effect immediately, it may result in the City Councilmembers personally paying for proper City expenses. Therefore, the City Council finds that this ordinance is necessary for the immediate preservation of the public peace, health, and safety, and declares that it shall take effect immediately upon its adoption as an urgency ordinance.

**SECTION 4. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. Effective Date.** This ordinance shall take immediate effect upon its passage by the City Council.

**SECTION 6. Publication.** The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

**PASSED, APPROVED, AND ADOPTED** this 1st day of July, 2008.



\_\_\_\_\_  
Bob Cashman, Mayor

**ATTEST:**



\_\_\_\_\_  
John Danielson, Interim City Clerk

**APPROVED AS TO FORM:**



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Julie Hayward Biggs, Interim City Attorney

## **EXHIBIT “A”**

# **REIMBURSEMENT POLICY FOR ELECTED AND APPOINTED OFFICIALS**

# CITY OF WILDOMAR

## Reimbursement Policy for Elected and Appointed Officials

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### PURPOSE

To establish a policy for the reimbursement of expenses incurred by elected and appointed officials (hereinafter "officials") of the City of Wildomar ("City") in the performance of City business. This Policy will be applicable to all elected or appointed members of any legislative body (as defined in Government Code Section 54952(a), (b)) of the City, including the City Council and any other City-affiliated commission, committee, board, or other body created by ordinance, resolution, or formal action of the City Council.

### POLICY

It is the policy of the City to reimburse actual and necessary expenses incurred by officials in the performance of City business.

#### A. Activities Eligible for Expense Reimbursement

Expenses incurred in connection with the following types of activities are eligible for reimbursement:

1. Attendance and participation at meetings of the official's legislative body or at meetings of an advisory body of the legislative body.
2. Attendance and participation at meetings of any body or organization to which the official has been appointed by the official's governing or legislative body or at which the official serves as a designated representative of the City.
3. Communicating with constituents on matters within the jurisdiction of the official's legislative body.
4. Attending community events as a representative of the City.
5. Communicating with representatives of local, regional, state and national government on City matters, policy positions, or legislation that may affect the City.
6. Participating in local, regional, state and national organizations and entities whose activities affect City interests.

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

Reimbursement for expenses incurred with respect to activities not authorized above require prior approval by the City Council or applicable legislative body.

B. Expenses Authorized for Reimbursement

1. Transportation. Transportation expenses incurred in connection with activities authorized under Section A of this Policy are subject to the following requirements:

- a. Airlines and Other Commercial Carriers: Travel reimbursement is generally limited to coach class fare at government rates or group rates when available. Fares that are equal to or less than those available through the League of California Cities or the State of California ([www.catravelmart.com](http://www.catravelmart.com)) are presumed to be economical and reasonable for purposes of reimbursement. If rates comparable to those available through the League of California Cities or the State are either not available or the fare to the applicable destination is not specified by these sources, then fares that do not exceed the median retail price of the fares posted on websites like [www.expedia.com](http://www.expedia.com) or [www.travelocity.com](http://www.travelocity.com), or an equivalent service will be considered reasonable.
- b. Automobile (Personal Vehicle): Travel using personal vehicles will be reimbursed at the IRS mileage rate in effect at the time.
- c. Car Rental: Rental vehicles may be used if more economical and reasonable than other forms of transportation. Rental is generally limited to the most economical and reasonable mid-sized vehicle. Government rates or rental rates that are equal or less than those listed by the State of California ([www.catravelmart.com](http://www.catravelmart.com)) will be considered the most reasonable and economical for purposes of reimbursement. If government rates or rates comparable to those listed by the State are either not available or the State does not specify a rate for a particular location, then rental rates that do not exceed the median retail price of the rates posted on websites like [www.expedia.com](http://www.expedia.com) or [www.travelocity.com](http://www.travelocity.com), or an equivalent service will be considered reasonable.
- d. Taxis/Shuttles: Taxi or shuttle fares, when reasonable and necessary, will be reimbursed, including a 15% gratuity per fare.

2. Lodging. Lodging expenses incurred in connection with activities authorized under Section A of this Policy when travel requires an overnight stay are subject to the following requirements:

- a. Officials must use government or group rates for lodging when available.
  - b. If lodging is in connection with a conference or organized activity, lodging expenses must not exceed the maximum group rate published by the conference or activity sponsor if such rate is available at the time of booking.
  - c. If group or government rates are not available, lodging rates that do not exceed the median retail price for lodging in the area listed on websites like [www.hotels.com](http://www.hotels.com) or an equivalent service will be considered reasonable.
3. Meals. Meal expenses incurred in connection with activities authorized under Section A of this Policy will be reimbursed at the applicable IRS meal rates in effect at the time.
  4. Miscellaneous Expenses. Actual and necessary miscellaneous business expenses, as defined by the IRS and incurred in connection with activities authorized under Section A of this Policy, may be reimbursed.

C. Reporting

1. Report Forms. Officials should submit their expense reports within 30 calendar days after the end of the month in which the expense was incurred, accompanied by receipts documenting each expense. In no event may a request for reimbursement be submitted later than the close of the fiscal year in which the expense was incurred absent exigent circumstances.
2. Reports to City Council, Board, or Commission. Each official must briefly report on outside meetings subject to the Brown Act that are attended at public expense at the next regular meeting of the official's legislative body. If multiple officials attended such a meeting, a joint report may be made.
3. Expense Reports As Public Records. All expense reports of officials and City reimbursement expenditures are public records subject to disclosure under the Public Records Act and other applicable laws.

STATE OF CALIFORNIA       )  
COUNTY OF RIVERSIDE    )  
CITY OF WILDOMAR        )

I, John Danielson, Interim City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-13 was duly adopted by the City Council of the City of Wildomar at a special first meeting, held on the 1st day of July, 2008, by the following vote of the Council:

AYES:       Cashman; Swanson; Moore; Farnam; Ade

NOES:       None

ABSTAIN:   None

ABSENT:    None

  
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John Danielson, Interim City Clerk