

ALBANY CITY COUNCIL ADMINISTRATIVE POLICIES

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I. INTRODUCTION

The Albany City Council Policies are intended to govern the conduct of the City of Albany and its employees. For the sake of this document, a “Policy” is the protocol, principle or rule that guides City business and serves as a framework for the Administrative Procedures Manual, intended to carry out said policies. A “Procedure” is designed to describe Who, What, Where, When, and Why by means of establishing corporate accountability in support of the implementation of a "Policy". The City Council Policies are approved and adopted by the Albany City Council and will be reviewed or updated on an as-needed basis. Unless otherwise noted, all of the following Policies have been duplicated in the Administrative Procedures Manual. The City Manager is authorized to approve, administer and make changes to the Administrative Procedures Manual to achieve efficient and effective implementation of City Council Policies. The Administrative Procedures Manual describes the way in which the following Policies are to be carried out.

II. CODE OF ETHICS POLICY FOR CITY EMPLOYEES AND VOLUNTEERS

In addition to the City Council Code of Ethics (provided in the previous section), it is the policy of the Council to recognize the Code of Ethics for all City employees and volunteers. The City of Albany and its Council believe that adherence to these principles by all City employees and volunteers is fundamental to building and maintaining public trust which enables government to function effectively and responsibly.

1. Be dedicated to the concepts of effective, democratic local government and recognize that the chief function of local government is to serve the best interests of all the people.
2. Affirm the dignity and worth of the services rendered by government. Maintain a constructive, creative and practical attitude toward public service and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that you may merit the respect and confidence of your co-workers, the City Council and the public.
4. Make decisions with fairness, impartiality and respect for the people involved.
5. Provide friendly and courteous service to the public; seek to improve the quality and image of public service; and keep those members of the community with whom you interact informed about City affairs.
6. Support the City by upholding and implementing municipal policies as adopted.
7. Recognize that the City Council, elected to represent the people, is entitled to the credit for the establishment of municipal policies; responsibility for implementing policies rests

with City staff and volunteers.

8. Refrain from all political activities which would impair or bring into question performance as a City employee.
9. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public facilities, equipment, time or office is dishonest.

III. CITY ADVISORY BODY CONDUCT AND ADMINISTRATION POLICY

The following policy is intended to provide for the effective and efficient operation of the City's Commissions/Boards/Committees (Advisory Bodies), in accordance with Albany City Charter Section 3.23, and Albany City Council Resolution No. 2010-63.

1. ATTENDANCE, ABSENCES, AND REMOVAL FOR EXCESSIVE ABSENCES

- a. Members of Advisory Bodies (Members) are expected to attend all regular and special meetings of their respective Advisory Body. Regular attendance is necessary to ensure a quorum of members is present, to provide a full range of perspectives on matters before the Advisory Body, and to allow the opportunity for the Advisory Body is to conduct business in a timely manner.
- b. At times, a Member may be able to participate remotely via teleconference. This must be arranged with the Advisory Body Chair and staff liaison in advance of posting of the agenda so that the site from which the member will teleconference can be stated on the agenda, and to ensure necessary equipment is available.
- c. Any Member unable to attend a scheduled meeting shall notify the Advisory Body Chair and/or the assigned staff liaison a minimum of 24 hours in advance of the meeting. This action will result in an "excused" absence. Failure of any Member to notify the Advisory Body Chair or the assigned staff liaison a minimum of 24 hours in advance of the scheduled meeting shall result in an "unexcused" absence.
- d. Excessive absenteeism shall be cause for removal from an Advisory Body. Excessive absenteeism is defined as one of the following:
 - i. Unexcused absence from three consecutive regular meetings
 - ii. With the exception of advisory bodies that meet regularly more than once a month (e.g. Planning & Zoning Commission), absence from four meetings in any twelve month period, excused or unexcused. For advisory bodies that meet regularly more than once a month, excessive absenteeism in a twelve month period shall be defined as six absences from regular meetings, whether excused or unexcused.
- e. The Chair and/or staff liaison shall notify the City Clerk when a Member has excessive absences. The City Clerk shall notify the member and the appointing authority in writing

that the member is removed due to excessive absenteeism. The City Clerk may consider any evidence from the Member provided within ten days of the notice that he/she has not been excessively absent before the action is final.

Chairs and staff liaisons are encouraged, but not required, to contact the Member, the City Clerk, and/or the appointing authority when a Member is close to being excessively absent.

2. ESTABLISHED MEETING END TIME

All Advisory Bodies shall identify a mutually agreeable meeting end time. Establishment of a reasonable end time is intended to provide sufficient time for Advisory Bodies to conduct necessary business while also respecting the outside responsibilities of Members. In general it is recommended that Advisory Bodies, with the exception of the Planning & Zoning Commission, consider an end time of 9:30 p.m. unless unusual circumstances dictate an alternative ending time. In order to exceed the agreed upon meeting end time, a motion for extension of time shall be approved.

3. ROTATION OF CHAIR PERSON

To provide the opportunity for all Members of Advisory Bodies to hold a leadership role, the position of Chair Person and Vice Chair shall be rotated on an annual basis in January or February. Although not recommended, if the Advisory Body agrees that there is a strong preference to continue with the existing Chair and/or Vice Chair, they may serve for a maximum of two consecutive years in the role.

4. SERVICE ON ADVISORY BODIES

To allow for the maximum amount of community engagement and participation on the City's Advisory Bodies, appointments to Committees/Commissions/Boards shall preferably serve on only one Advisory Body at any one time. This policy is also intended to help minimize any potential conflict of interest issues that could arise by a member serving on multiple advisory bodies.

5. ADDRESS, PHONE NUMBER AND EMAIL POLICY

When an individual serves on an Advisory Body, his/her address, telephone number and email will be public record.

6. WORK PLAN

All standing Advisory Bodies shall develop and adhere to a work plan for submittal to the City Council. The work plan should identify recent accomplishments, and priority work items for the upcoming period. The work plan should be reviewed by the Advisory Body annually in January to identify accomplishments and ensure continued focus on completing work plan items.

Advisory Bodies are encouraged to focus on a reasonable number of work plan items to accomplish in a given two year period, recognizing the potential workload associated with each item. Additionally, Advisory Body work plans are to focus on furthering the Strategic Plan Goals identified by the City Council.

City Council Review of Work Plans

Work plans shall be presented to the City Council every two years.

The Chair of the Advisory Body or a designee should attend the Council meeting to respond to any questions raised by the City Council regarding the work plan.

The Council may choose to revise work plans as necessary to ensure Advisory Bodies remain focused on their respective charge and on implementation of City Council Strategic Plan goals.

7. CHANGES/ADDITIONS TO ANNUAL WORK PLAN

Any changes or proposed additions to the annual work plan must be submitted by the Advisory Body to the City Council for review. The submittal shall be prepared using the attached form “REQUEST FOR AMENDMENT TO ADVISORY ANNUAL BODY WORK PLAN” (Exhibit 1).

8. MANNER FOR BRINGING ITEMS TO THE CITY COUNCIL

a. Matters Referred to the Advisory Body by the City Council

The City Council may refer items to the Advisory Bodies for further analysis, research and discussion. Items referred by the City Council to an Advisory Body are to take priority. Advisory Body findings and/or recommendations regarding these matters are to be presented back to the City Council, in accordance with any deadlines identified by the Council. Recommendations should be supported with data, pro/con analysis, or other relevant background material to help inform the City Council. When possible, the Advisory Body should include options for City Council consideration. The staff liaison to the Advisory Body will coordinate with the City Manager to schedule the item on a future City Council agenda. The Advisory Body Chair or designee is expected to attend the City Council meeting to present the item in coordination with the staff liaison.

b. Matters Included on the Advisory Body Work Plan

At times the Advisory Body may have updates, reports, findings, or recommendations to present to the City Council on matters included as part of the Advisory Body Work Plan. Recommendations should be supported with data, pro/con analysis, or other relevant background material to help inform the City Council. When possible, the Advisory Body should include options for City Council consideration. The staff liaison to the Advisory Body will coordinate with the City Manager to schedule the item on a future City Council Agenda. It should be noted that the Council has the authority to prioritize items intended for the City Council agenda.

c. Other Matters

If other matters arise relevant to the charge of an Advisory Body that are not included within the Advisory Body Work Plan, and the Advisory Body agrees that the additional work item should be included as part of the work plan, the Advisory Body is to complete the “REQUEST FOR AMENDMENT TO ADVISORY BODY ANNUAL WORK PLAN” (Exhibit 1) for review by the City Council.

9. STAFF LIAISONS TO ADVISORY BODIES

A staff liaison is assigned to each of the Advisory Bodies to the City Council. The role of the staff liaison is to support the Advisory Body by preparing the agenda in coordination with the Advisory Body Chair, preparation of action minutes, and transmittal of items from the Advisory Body to the City Manager or other entity. Advisory Body members are to take the lead in conducting research, preparation of written materials, and other items that may come before the Advisory Body.

IV. CUSTOMER SERVICE POLICY

It is the policy of the Albany City Council that residents and other interested parties be treated with respect, and that inquiries to the City be responded to in as timely a manner as is feasible. The procedures laid out in the Albany Administrative Procedures Manual establish standards for serving the public, other agencies, and other persons outside the City of Albany organization in a respectful, courteous, friendly, professional, and efficient manner.

V. ELECTRONIC MEDIA, WEBSITE AND SOCIAL MEDIA POLICY

The use of Electronic Media (i.e. voicemail, e-mail, and the internet), City Website (www.albanyca.org), and Social Media (Facebook, Twitter, Youtube, etc.) may be used by City of Albany employees and City Officials for City purposes. Use of these tools is intended to further enhance communications with the community in support of City goals and objectives. The use of voicemail, e-mail, the internet, and social networking may raise issues of privacy, liability and records retention, and users are advised to use caution when utilizing these media tools. City employees shall also act in accordance with the Electronic Media, Website, and Social Media Procedures, as established by the City Manager, to ensure all employees follow proper rules of conduct when using electronic technology. Use of electronic technology is additionally governed by the City’s Management of Public Records Policy and many records must be retained. Due to constantly evolving technology, the City Council encourages the City to utilize new opportunities for engaging the community, while being sensitive to records retention, confidentiality, anti-harassment, open meeting laws, etc. Use of social media by elected and appointed officials are also subject to City Council policy for such officials.

VI. FINANCIAL REPORTS, BUDGET AND FEE POLICY

Prior to adoption of the budget, the City Council will receive a financial report from the City's Finance and Administrative Services Director. This report will contain revenue and expenditure projections, projected fund balances and fund transfer information. Budget revisions or updates will occur at approximately six-month intervals, if necessary. The City Council must approve all budget revisions that change the initial fund appropriations. All fees will be assessed and collected by the City Staff, in accordance with the most current Master Fee Schedule as adopted by the City Council.

Every year, the City shall receive an Annual External Audit. The Finance and Administrative Services Director will schedule this audit as an agenda item for City Council review and approval. The Finance and Administrative Services Director or designee will submit a staff report summarizing the auditor's findings and the general financial condition of the City for the audit period.

City staff shall make every effort to collect all City fees. However, on rare occasion, waiver of a fee for hardship, miscommunication or to rectify a problem may be necessary. The City Manager, Finance & Administrative Services Director, City Treasurer and Community Development Director or their respective designees may waive fees including penalties and interest (if applicable) up to \$1,000 provided that a written explanation as to why the fee is being waived is submitted to the Finance and Administrative Services Department. Fee Waivers in excess of \$1,000 require approval by both the City Manager and the Finance & Administrative Services Director in the manner outlined above.

VII. INVESTMENT POLICY

Pursuant to Government Code, City Council will adopt an investment policy annually.

VIII. PURCHASING POLICY

1. Purchases up to \$250 may be made from a department's petty cash fund. Purchases up to \$2,500 do not require a purchase order. In the event that a vendor requires a purchase order for goods or services with a value of \$2,500 or less, the standard procedures for issuance and approval of purchase orders shall be followed.
2. All purchases in the total amount of \$2,500 to \$10,000 shall be made using a purchase order approved by the Finance & Administrative Services (F&AS) Director. The Department Head is responsible for ensuring that the materials and services purchased are competitively priced so that City funds are expended appropriately and in a cost efficient manner.
3. For purchases in the total amount of \$10,001 to \$25,000, the Department Head shall obtain bids or price quotations from a least three (3) qualified vendors of the materials,

equipment or service required. Documentation of the bids or price quotations shall be submitted with the purchase order at the time the purchase order is presented for approval by the F&S Director or the City Manager. A determination by a Department Head that solicitation of bids or price quotations from three (3) vendors is not feasible must be approved by the F&AS Director or the City Manager.

4. Cost of Living Adjustment. All referenced dollar amounts pertaining to this purchasing policy shall be reviewed by the F&AS Director at the beginning of each fiscal year. Upon the City Manager's approval, all referenced dollar amounts may be adjusted to reflect general inflation of prices that has occurred subsequent to the last previous adjustments of the dollar levels referenced.
5. Unless waived by the City Council, formal bids will be required for submission to the City Clerk and approval by the City Council for all purchases of goods or services for a cost in excess of \$25,000. Exceptions to this policy are as follows (as described in Section 2-27.2 of the Albany Municipal Code):
 - The bidding procedures for public works projects as set forth in Section 4.03 of the City Charter shall be followed. In general, this section defines "public project" as it applies to the City of Albany, and provides direction for competitive bidding notification, and allows for Council discretion in accepting or rejecting bids.
 - Service contracts for individuals or firms possessing a high degree of skill and sole vendors are exempt from the bidding policy. A service contractor or vendor may be considered sole source because of, but not limited to, shipping costs, time considerations, service availability, or established expertise in the desired field. The Department Head shall submit a memorandum to the F&AS Director documenting the reasons for awarding a contract or purchase order on a sole source basis. The sole source request must be approved by the City Manager prior to the issuance of a purchase order or the signing of a contract.
 - In the event that purchases for equipment or vehicles are part of a major government purchasing contract (generally in conjunction with the State of California) that would generate the lowest per unit cost, competitive bids are not required.
 - Purchases of equipment, materials, supplies, or services determined by the City Manager or his/her designee to be necessary to meet an emergency which threatens the public health, safety or welfare, may be made without competitive bidding, and without Council approval if the purchase is necessary to ensure the public health and safety. In the event of a declaration of a local emergency by the City Manager, Department Heads may exceed expenditure limits for purchase of materials and goods, contracts for services, or public works projects and improvements necessary to protect safety of persons or property. Discretion should be exercised by all staff involved in the purchasing of materials and services to ensure that City funds are

expended appropriately and in a cost efficient manner. All expenditures in excess of standard authority shall be reported to the City Council at the earliest possible date.

6. When City funds are used to contract for services, such contracts should demonstrate an effort to consider Living Wage standards and promote an employment environment that enhances the general quality of life within the community and maximizes the productive effect of the City's limited resources (as described in Section 2-26 of the Albany Municipal Code.
7. The following policies are also described in the Albany Municipal Code (Section 2-27.2)
 - Periodically, generally in concert with a contracted auction service, each department shall submit to the F&AS Director in such form as that office shall prescribe, a report showing all supplies, materials, and equipment that are no longer used or that have become obsolete. Prior to disposal of these items, the F&AS Director or his/her designee shall prepare a report to the City Manager requesting authorization to dispose of these items.
 - Any officer or employee of the City who violates the above policies, except for purchases from petty cash or emergency purchases, may be subject to disciplinary action, including termination, by the City. Any purchases, contracts or obligations to pay, made contrary to these policies, shall be null and void.
 - In the case of a purchase or public project financed in whole or in part by public gifts to which are attached conditions relating to special items to be purchased or special contracts to perform the work, such purchases or special projects are exempt from the above policies, provided that the City Council approves the projects and the exemption.
 - Any employee of the City soliciting contract proposals or procurement of goods shall afford maximum opportunity to Albany minority or women owned business enterprises when competing for the City's business. This shall be done when after evaluation of all factors, including professional qualifications, proven expertise, and quality of proposal and price, the services to be provided are judged equal to those of competitors.
8. The City shall give preference to environmentally preferable products that minimize environmental impacts, toxics, pollution and hazards to worker and community safety to the greatest extent practicable. Prior to purchasing products, the purchaser shall consider the following items:
 - a. Whenever feasible, identify opportunities to reduce waste and purchase fewer products.
 - b. Identify whether there are comparable products made from recycled content, are energy/water/resource efficient, and/or made from non-toxic materials.

- c. Consider the feasibility of purchasing environmentally preferable products, and determine whether the products are both cost competitive and attainable within a reasonable period of time.

IX. RECOGNITION OF PERSONNEL RULES AND REGULATIONS

In accordance with Resolution #01-59, it is the policy of the City Council to recognize the City of Albany Personnel Rules and Regulations, amended and ratified by the City Council on July 16, 2001. This manual encompasses all personnel-related policies and procedures for employees of the City of Albany. This manual may be modified or amended by resolution of the City Council.

X. RISK MANAGEMENT/INSURANCE POLICY

The City Council recognizes it is necessary to utilize procedures to respond to risk management situations. The City Manager is authorized to settle liability or worker's compensation insurance claims up to \$25,000. The City Manager, in consultation with the City Attorney, has authority to reject any and all claims. Rejected claims shall be included as an informational item on the next City Council Meeting Agenda as part of the Consent Calendar.

XI. SPECIFIC AND MASTER PLANS POLICY

The City Council recognizes that the City has adopted several Specific and Master Plans that govern the procedures associated with particular subject matters or areas of the City. These include, but are not limited to, the Active Transportation Plan, Climate Action Plan, Park Master Plan, Albany Hill Master Plan, Watershed Master Plan, and Traffic Management Plan. The Council recognizes that all current Specific or Master Plans and any which may be adopted in the future, should be considered during the course of Council actions and City projects, as relevant.

XII. MAYOR'S EXPENSE ALLOWANCE POLICY

The Mayor shall be provided an expense allowance in the amount of \$100 per month as reimbursement for estimated out-of-pocket expenses incurred in carrying out mayoral duties. The expense allowance is intended to cover actual and reasonable costs associated with local automobile travel and other miscellaneous and incidental expenses related to City business. This allowance shall be separate from the travel and lodging expense reimbursement policy detailed in **paragraph XIII**.

XIII. CITY COUNCIL EXPENSE REIMBURSEMENT POLICY

ALBANY CITY COUNCIL EXPENSE REIMBURSEMENT POLICY

1. Policy Statement

The purpose of this policy is to define and clarify authorized reimbursable general business expenses in accordance with California Government Code Section 53232 et seq. This policy includes, but is not limited to, travel, business meals, lodging, conference expenses, professional memberships, and other related expenditures incurred by Council Members while conducting City business. This policy also establishes procedures for reimbursement of such expenses.

City Council members shall be entitled to reimbursement for their reasonable expenses associated with travel, meals, lodging and other actual and necessary expenses associated with attending professional conferences, seminars, meetings, and training in a manner and in the amounts as set forth in this policy.

This policy shall be formally adopted by the City Council and any changes thereto shall also be adopted by City Council.

2. Authorized Expenses

Government Code Section 53232.2(b) requires the local agency to specify the types of occurrences that qualify an official of a legislative body to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses. 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:

- A. Meetings with government and business leaders where a benefit to the City can be defined.
- B. Conferences, training and educational trips, including visiting other governments to discuss and observe best practices where a benefit to the City can be defined.
- C. Lobbying trips and business-related trips where a benefit to the City can be defined.
- D. Participating in regional, state and national organizations whose activities affect the City's interests.

3. Unauthorized Expenses

Expenditures incurred by City Council members must be only those incurred in the course and scope of their official duties. The City shall not reimburse:

- A. The personal portion of any trip.
- B. Political, religious or charitable contributions or events.

- C. Family expenses, including those of a partner when accompanying Council member on official business, child or pet care.
- D. Entertainment Expenses, including theatre, shows, movies, sporting events, golf, spa treatments, etc.
- E. Non-mileage personal automobile expenses including repairs, insurance, gasoline, traffic citations.
- F. Personal losses incurred while on City business.

4. City Council Salaries

City Council members shall receive a salary for their performance of official duties, in accordance with the City of Albany Charter, Section 2.08, “Council Compensation”.

5. Travel

The most economical mode and class of transportation reasonably consistent with scheduling needs should be used, using the most direct and time-efficient route. Officials shall use government and/or group rates offered by a provider of transportation when available. The following transportation modes may be employed for the purpose of traveling on City business:

- A. Air Travel-** All officials shall utilize coach or tourist class accommodations when traveling by commercial airline. Reservations, where possible, should be made at least **fourteen (14)** or more days in advance to take advantage of all available discounts. Increased fees related to late booking may be disallowed without a sound business reason. Officials may at their own expense pay to upgrade their airline accommodations.
- B. Alternate Travel Methods -** Officials who use alternative travel methods, such as commercial bus or train for travel to and from designated places on City business outside the City will be reimbursed for the actual expense of the alternative travel method, not to exceed coach or tourist class airfare.
- C. Personal Automobile -** Officials who use their personal vehicle for travel to and from designated places on City business outside the City will be reimbursed for mileage at the rate established by the Internal Revenue Service in Publication 463, or any successor publication. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle.
- D. Other Personal Automobile Reimbursements (Non-Mileage Based) –** The IRS rate described in section B above does not include bridge and road tolls or parking and storage of personal or City vehicles may be

authorized. Detailed receipts should be provided to obtain reimbursement.

- E. Vehicle Rentals, Taxi, and Transit Fare** - Out of town expenses for such transportation may be authorized where reasonable and necessary to conduct City business. Receipts must be provided to obtain reimbursement. When vehicle rental is chosen over taxi or shuttle service, there should be a business reason or economic benefit to support the rental decision.

6. Lodging

Lodging expenses will be reimbursed, or paid for when travel on official City 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, the Council member shall be entitled to reimbursement for actual costs of lodging that is comparable in location and quality.

7. Miscellaneous Expenses

City Council members shall be entitled to reimbursement for miscellaneous expenses incurred in the performance of their duties and in the course and scope of their activities as Council members and which are reasonably related to City business including:

- A.** Actual cost of telecommunication and fax charges when Council members are away from City Hall.
- B.** Other miscellaneous charges reasonably related and necessary to the activity, including gratuities, parking, shuttle and taxi charges.

8. Meals

City Council members shall be entitled to reimbursement for meals and associated gratuities in an amount not to exceed the per diem rate as established by the United States General Services Agency. The per diem rate shall be the designated per meal cost. In addition, based on State law Council Members shall be required to submit actual receipts documenting the expense as set forth below. Alcoholic beverage expenses shall not be reimbursed.

Where Council members are attending a conference or other organized educational activity, and a meal or meals are provided as part of the activity, Council members shall not be reimbursed for any separate meal unless dietary needs require that the Council member purchase a different meal and/or city-related business necessitates that the Council member miss the hosted meal.

9. Expense Reports

In order to receive reimbursement Council members shall complete and submit a Travel and Expense Claim Form and Report to the Finance Department within a reasonable time after incurring the expense and no later than 60 days after the event. The expense report shall be accompanied by all detailed receipts documenting each expense, including those acquired from the use of a City credit card. The Council member shall verify that the expenses for which reimbursement is sought were incurred on behalf of the City in the performance of official duties and that they are in compliance with this policy.

Council members shall provide a brief report on meetings attended at the expense of the City at the next regular meeting of the Council. If multiple Council members attended the same event, a joint report may be made.

All documents related to reimbursable expenditures, including but not limited to the Expense Report and actual receipts are public records subject to disclosure under the California Public Records Act. Any personal information including credit card numbers contained on any receipts may be redacted before publicly releasing such records.