

Amendment to CP-14(J)

J. BEHAVIOR OF ELECTED OR APPOINTED OFFICIALS OF THE CITY OF COMMERCE CITY.

In all official matters, ~~including at any time during a function, event, conference, or trip sponsored by the city or at which the official's attendance was paid for by the city,~~ elected and appointed officials of the City shall conduct themselves in a manner so as not to bring disrespect or disrepute to the office held or to the City. During sessions or meetings of the official Council, officials shall treat their fellow officials, the public and City employees with respect. Officials shall refrain from personal attacks on the public and their fellow officials and shall not attack the motives of their fellow officials.

Amendment to CP-2(A)

9. Council members who decide to go to functions which require reservations will notify the City Manager's Office as early as possible. Commitments shall be honored. In the event a council member who committed cannot attend it is that council member's responsibility to find a City Council replacement, ~~preferably from the City Council first and then from executive staff, other staff, and community leaders or business owners.~~ The City Manager's Office will attempt to assist where possible. Except in the event of extenuating circumstances approved by the City Manager, if a Council member does not attend without giving the City Manager's Office reasonable opportunity to fill the vacancy, the cost paid by the City for ~~the Council member's attendance at~~ such event shall be ~~repaid by charged personally to~~ the Council member who failed to attend ~~without securing a replacement~~ and the proceeds depositing into the general fund.

Amendment to CP-5

A. General guidelines. Any reasonable expense, as described in this Council Policy, incurred by the Council including the Mayor for attendance at authorized events and in the conduct of business on behalf of the City shall be paid by the City. ~~In providing payment to Council for expenses incurred for attendance at authorized events and for City-related business and/or conferences, Council members are expected to participate to the greatest extent possible in that event to the benefit of the City.~~

Travel arrangements may be made by a City staff member designated by the City Manager for Council members only. If a Council member wishes to make his or her own travel arrangements, he or she can do so with the understanding that payment may be had only for the lowest airfare rate available where travel out of state is concerned.

Authorized events shall mean those events for training and travel budgeted in the City budget for attendance by members of the City Council which shall not exceed a total of \$7,000 per Council member per calendar year.

B. Participation. Council members are expected to participate to the greatest extent possible in any function, event, conference, or trip sponsored by the city or at which the official's attendance or participation was paid for by the city. For conferences and similar events, Council members are expected to attend at least 75% of all seminars, workshops, or other events for which the member is registered at the City's cost. For business functions and trips, Council members are expected to participate in all scheduled events (unless noted as non-mandatory).

C. Reporting Back. Council members are expected to report on their participation in any functions under this policy during Council reports in any meeting or by submitting a written summary of activities and relevant information to the City Manager for distribution to the Council. Sensitive or confidential information should not be included.

D. Authorization of expenses. Except for expenditure of Discretionary Funds which is governed by Council Policy #CP-19, all expenditures of City funds for authorized events and City-related business travel not provided for in the City budget shall require authorization by the City Council effective the 1st day of January, 2015.

E. Advance payments. Advance payment for previously approved trips shall not be paid except for extenuating circumstances approved in advance by the City Manager. The request for travel advances should be made to the City Manager's Office at least one week prior to taking the trip.

F. Reimbursement.

1. A Council member must promptly reimburse the city for any expenses paid by the city pursuant to subsections F(1-11) of this policy related to any function, event, conference, or trip, or part thereof, sponsored by the city or at which the official's attendance or participation was paid for by the city if: (1) the Council member registered for or responded to an invitation to attend and failed to attend without filling the vacancy with another Council member or, if appropriate, staff member, community leader, or business member; (2) the Council member failed to attend a significant portion of any function, event, conference, or trip; or (3) during the function, event, conference, or trip, the Council member conducted themselves in a manner that brings disrespect or disrepute to the office held or to the City, as determined by a majority vote of the City Council in office (excluding the councilmembers whose conduct is in question). Amounts reimbursed will be paid into the general fund. At the Council member's request, the City Council may, by a majority vote, determine the amount of expenses required to be reimbursed.
2. The City Manager may, upon a showing of extenuating circumstances, excuse the Council member from some or all of this reimbursement requirement in subsection (1), above, (except where ordered by the City Council) and shall report the exception to the City Council. Extenuating circumstances include unexpected job demands; illness or medical emergency of the Council member, family member, household member, or person for whom the Council member is a caregiver; cancellation of the event; or severe weather

that makes travel impossible. In other cases, the City Council, by majority vote, may excuse the Council member from some or all of that reimbursement requirement if the failure to attend was due to unforeseeable events beyond the Council member's control or in the interests of fairness (except where ordered by the City Council).

3. A Council member must promptly reimburse the city for any expenses paid by the city in violation of subsections F(12-13) or for the cost of any alcoholic beverages. Amounts reimbursed will be paid into the general fund.

G. Payment. Payment shall be made for the travel expenses specified below and incurred by the Council member only. Alternate arrangements for personal use are not payable by the City. Receipts are required for any expense submitted for payment. In order to qualify for payment, a claim for payment of expenses, excluding mileage, must be filed within thirty (30) days of the date it was incurred except for extenuating circumstances approved by the City Manager. All claims will be filed on forms provided by the City Manager.

1. **Air travel.** City staff shall use reasonable efforts to locate an economical nonstop coach airfare based on availability.
2. **Bus or rail – instead of air travel.** Payment is limited to cost of equivalent airfare.
3. **Auto rental.** Rental cars may be procured only if the use of such a vehicle provides the most economical means of transportation available to provide the necessary connections, and to accommodate meeting schedules. Payment is limited to actual cost for City business. Rental usage limited to Council member only.
4. **Parking – garage.** Payment is limited to actual cost.
5. **Private car.** The Mayor shall receive a stipend of \$350.00 per month and each Council member shall receive a stipend of \$250.00 per month for all costs of the use of their private vehicles in the conduct of business on behalf of the City (excluding parking). Vehicles must be insured at all times. The Mayor and Council members are responsible for the tracking of mileage for individual tax purposes.
6. **Taxi or shuttle.** Payment is limited to actual cost for travel to and from conference events and on City business only. Payment of a gratuity for a taxi shall not exceed 15% of the taxi fare.
7. **Lodging.** Payment is limited to actual reasonable occupancy rate for Council member for the minimum number of nights required to attend a City function. Reservations at hotels or motels are to be made well in advance of the conference or meeting dates. If attending a formal conference, lodging will normally be at the conference or headquarters, or hotel or comparable facility nearby. Payment of a gratuity for maid service shall not exceed \$2.00 per day.

8. **Meals – related to conventions, training, conferences and seminars.** Payment is limited to per diem based on federal guidelines. The per diem amount includes meal gratuities. For any meal paid for by others, the per diem paid to the Council member for such meal shall be reimbursed by the Council member to the City. Payment of a meal gratuity for service shall not exceed 20% of the cost of the meal.
9. **Registration fees.** Payment is limited to the actual cost for the Council member only.
10. **Business meals.** Payment is limited to the reasonable cost to conduct City business at a business meeting at breakfast, lunch or dinner for promoting or benefiting the City. Payment includes reasonable gratuity not to exceed 20% of the cost of the meal unless there is a specific restaurant gratuity charge. Information required for payment shall include the name of the individual(s) present for the meeting and the nature or purpose of meeting. Meals with constituents are not payable by the City. The cost of alcoholic beverages will not be paid by the City.
11. **Other regularly scheduled meetings, banquets, ceremonial events, etc.** Payment shall be made for the actual cost for attendance by a Council member at (1) regularly scheduled dinner meetings budgeted in the City budget or authorized by the City Council; (2) awards or recognition banquets for boards and commissions on which the City has representation; (3) ceremonial events at which a Council member is authorized by City Council to represent the City; and (4) other meetings as authorized by the City Council where a Council member is required to attend to represent the City. Payment for costs incurred by a spouse or companion of a Council member attending an event authorized in this Council Policy with a Council member shall only be made for events in the Denver metropolitan area. The cost of alcoholic beverages will not be reimbursed.

Examples of awards or recognition banquets, ceremonial events or other meetings in this paragraph may include, but are not limited to: Metro North Chamber Banquet, DRCOG awards banquet, and ADCOG July and December meetings. Specific fund-raising events as designated by Council are also allowed.

~~In the event a Council member responds to an invitation to a function or activity paid for by the City that he/she will attend and then fails to do so without giving the City Manager's office reasonable opportunity to fill the vacancy, the cost will be charged personally to the absent Council member and the proceeds deposited into the general fund except in the event of extenuating circumstances approved by the City Manager.~~

12. **City-issued purchasing cards.** Only the Mayor, if requested by the Mayor, shall be issued a City purchase card in accordance with the City's employee purchasing card policy. Use of the card is restricted to City business.
13. **Prohibition of use of funds for campaign purposes.** In no event shall any City funds be expended for campaign purposes which would violate the Fair Campaign Practices Act or for attendance at a partisan political event.

Amendment to CP-19

The following policy shall be adhered to regarding the use of City funds as discretionary funds by members of the City Council for attendance at functions or activities not budgeted as part of the City budget:

A. Each year an amount shall be allocated for use by each member of the City Council for attendance at functions and activities that are in addition to those functions and activities intended for attendance by members of the City Council authorized for payment in paragraph C below. Commencing the year 2015, the amount allocated for each individual member of the City Council is \$500 per calendar year and said amount shall remain in effect until changed by action of the City Council. Such funds allocated for attendance by individual members of the City Council has been and shall continue to be referred to as “Discretionary Funds”.

B. Expenditure of Discretionary Funds by members of the City Council for attendance at City functions and activities is only authorized if the function or activity is of benefit to the City of Commerce City, is in the public interest for the City of Commerce City or serves a public purpose. Examples of functions or activities deemed to be for the benefit of the City of Commerce City, in the public interest for the City of Commerce City or serves a public purpose include, but are not limited to, the following:

1. Events, including council ward meetings and social events, that give the opportunity to promote, advertise or disclose the benefits, advantages, events and activities existing or taking place in the City of Commerce City.
2. Events, including social events, where attendance enables development of relationships with others that have the potential of benefiting Commerce City in the future.
3. Events, including education programs that involve opportunities for learning and improving, and functions and activities related to city government.
4. Attendance as a member of a committee not otherwise budgeted as part of the City budget but which serves a governmental purpose related to the activities and functions of the City of Commerce City such as attendance as a member of a functions of the City of Commerce City such as attendance as a member of a Colorado Municipal League (CML) committee or National League of Cities (NLC) committee not otherwise budgeted.

The expenses of any city event or activity that are budgeted as part of the city budget, such as CML, NLC or certain committees of CML or NLC, are not considered expenses that must be paid from discretionary funds.

C. Expenditure of Discretionary Funds shall not be required for any event authorized for payment from City funds pursuant to Council Policy #CP-5.

D. The allocated Discretionary Funds for each calendar year shall not be accumulated from year to year but shall lapse at the end of each calendar year and become a part of the general fund and discretionary funds for a future calendar year shall not be expended or obligated in a prior calendar year.

E. Approvals for Expenditure.

1. When an expenditure involves less than \$100, the Council member shall consider the criteria set forth above to determine whether the expenditure is authorized from discretionary funds and, if so, the Council member shall then account for such expenditure as provided in subparagraph H below.
2. When an expenditure involves \$100 or more but is not greater than \$350, the Council member shall inform the City Attorney that use of Discretionary Funds is anticipated for an upcoming function or activity and approval shall be obtained from the City Attorney. Notification by the City Attorney shall be given to the City Council at least every two weeks as to the approvals given for expenditure of Discretionary Funds.
3. When the expenditure involves more than \$350, the Council member shall inform the City Council at a duly-convened council meeting and approval shall be obtained from the City Council for such expenditure of Discretionary Funds.

F. The Discretionary Funds of each Council member shall not be assigned, transferred or used for persons other than a Council member unless prior approval is given as provided in paragraph E above. ~~Discretionary Funds shall not be used to pay for any expenses required to be reimbursed under #CP-5.~~

G. In no event shall Discretionary Funds be expended for campaign purposes which would violate the Fair Campaign Practices Act or for attendance at a partisan political event.

H. Each expenditure from the Discretionary Funds shall be accounted for on a City form and filed with the City Manager's Office within thirty (30) days after the expenditure is made. Reimbursement of the approved expenditure shall be made by the City. If any Council member desires an advance of funds from Discretionary Funds for any function to be attended and paid for pursuant to this Council Policy, a City form requesting the advancement shall be filed with the City Manager's Office at least seven days prior to expectation of payment.

~~I. If a Council member responds for attendance to an event that is paid for from City funds and then does not attend without giving the City Manager's office reasonable opportunity to fill the vacancy, the cost paid by the City for such event shall be charged personally to the Council member who failed to attend and the proceeds deposited into the general fund except in the event of extenuating circumstances approved by the City Manager.~~

I. Reimbursement.

1. A Council member must promptly reimburse the city for any Discretionary Funds paid by the city pursuant to this policy related to any function, event, conference, or trip, or part thereof, sponsored by the city or at which the official's attendance or participation was paid for by the city if: (1) the Council member registered for or responded to an invitation to attend and failed to attend without filling the vacancy with another Council member or, if appropriate, staff member, community leader, or business owner; (2) the Council member failed to attend a significant portion of any function, event, conference, or trip; or (3) during the function, event, conference, or trip, the Council member conducted themselves in a manner that brings disrespect or disrepute to the office held or to the City, as determined by a majority vote of the City Council in office (excluding the councilmembers whose conduct is in question). Amounts reimbursed will be paid into the general fund. At the Council member's request, the City Council may, by a majority vote, determine the amount of Discretionary Funds required to be reimbursed.
2. The City Manager may, upon a showing of extenuating circumstances, excuse the Council member from some or all of this reimbursement requirement in subsection (1), above, (except where ordered by the City Council) and shall report the exception to the City Council. Extenuating circumstances include unexpected job demands; illness or medical emergency of the Council member, family member, household member, or person for whom the Council member is a caregiver; cancellation of the event; or severe weather that makes travel impossible. In other cases, the City Council, by majority vote, may excuse the Council member from some or all of that reimbursement requirement if the failure to attend was due to unforeseeable events beyond the Council member's control or in the interests of fairness (except where ordered by the City Council).
3. A Council member must promptly reimburse the city for any Discretionary Funds paid by the city in violation of subsection G of this policy in violation or for the cost of any alcoholic beverages. Amounts reimbursed will be paid into the general fund.