

Date Presented to Council: 3/11/19
Verified by: <i>[Signature]</i>

CITY COUNCIL INFORMATIONAL MEMORANDUM

IM No. 19-03: Revision of City Council Policies

Originator: Jamie Newman, City Clerk
 Date: 2/20/2019

Agenda of: 3/11/2019

Route to:	Department Head	Signature	Date
X	Finance Director	<i>[Signature]</i>	2/27/19
X	Deputy Administrator	<i>[Signature]</i>	3/11/19
X	City Clerk	<i>[Signature]</i>	2/27/19

Reviewed by Mayor Bert L. Cottle: *[Signature]* 3/11/2019

- Attachments:**
- Council Travel Policy Update (3 pp)
 - AM No. 04-15(AM) (2 pp)
 - Community Grant Policy Update (2 pp)
 - AM No. 04-12 (2 pp)
 - Attorney Consultations with Individual Council Members (2 pp)
 - AM No. 06-64(AM) (2 pp)

Summary Statement: Currently, there are three council policies in effect, the Council Travel Policy, adopted in 2004; the Community Grant Policy, adopted in 2004; and the Attorney Consultations with Individual Council Members, adopted in 2006.

The policies have been reformatted for clarity, standardization, and conformance with current practice.

The polices are brought forward for informational purposes only. No action by Council is required.

CITY OF

WASILLA

OFFICE OF THE CITY CLERK

www.cityofwasilla.com

Council Travel Policy

Scope:

Council Members

Authority:

IM No. 19-03

Table of Contents:

Definitions

Purpose

Conduct

Transportation

Lodging

Per Diem

Personal Vehicle Mileage Reimbursement

Ground Transportation and Parking

Vehicle Rental

Policy Contact:

City Clerk

373-9090

clerk@ci.wasilla.ak.us

Effective:

March 11, 2019

Notes:

This policy supersedes AM No. 04-15(AM)

1. DEFINITIONS

“City” means the City of Wasilla.

“City Council” means the city council of the city.

“Council Member” means a member of the city council.

“Official city business” means business travel authorized by the City Clerk or the City Council.

“Traveler” means the council member traveling on business.

2. PURPOSE

The following travel policy applies to council members when traveling on official City business.

3. CONDUCT

Traveling on official City business is a privilege. When traveling on business, council members are expected to comply with all applicable laws and City policies and maintain appropriate professional and ethical behavior.

4. TRANSPORTATION

- Airfare or other transportation (bus, ferry, train) shall be arranged for and paid by the City for the traveler only.
- The best fare and most direct route that meets the business needs of the City shall be secured.
- The best fare does not require the purchase of a nonrefundable ticket rather the type of ticket will be based on the nature of the travel.
- Any deviation from the best fare and most direct route, to include fare class upgrades (premium, comfort class, etc.) shall be paid by the traveler directly to the carrier or reimbursed to the City.

5. LODGING

- Lodging shall be arranged for and paid by the City (room rate and applicable taxes only).
- A standard room or the best room rate shall be secured.
- Any charges above the room rate and applicable taxes shall be paid by the traveler directly to the hotel (room upgrade, room service, movies, in-room refreshments, etc.).

6. PER DIEM

- The City will issue the traveler in advance, a per diem check for meals and incidental expenses such as discretionary tips, laundry expenses, and other personal costs of travel.
- The use of City funds to purchase alcohol or drugs is prohibited.
- Per diem consists of two parts, local meals and local incidental expenses. Per diem shall be calculated at the Federal per diem rate for the applicable travel area.
- The rate of per diem shall be calculated beginning on the first day travel commences through the day of return.
- The City will not reimburse the traveler for actual meals and incidental expenses incurred above the per diem rate.

7. PERSONAL VEHICLE MILEAGE REIMBURSEMENT

- The City will reimburse the traveler for actual mileage at the allowable IRS rate.
- The traveler shall travel by the most direct route.
- To claim mileage reimbursement, the traveler must complete a Travel Expense Report within 10 business days after travel is complete.
- Beginning and ending odometer readings are required for reimbursement.

8. GROUND TRANSPORTATION AND PARKING

- Parking fees will be paid by the City or reimbursed to the traveler depending on the type of travel taking place.
- The City will reimburse the traveler for justifiable ground transportation (taxi cab, shuttle service, transportation network company) costs associated with the business trip. The most direct route and cost-effective means of transportation shall be secured.
- To claim reimbursement, the traveler must submit receipts with a completed Travel Expense Report, within 10 days after travel is complete.
- Each receipt must have written on the back the purpose of the purchase, the date of the purchase, if not printed on the receipt, and the name of the traveler.

9. VEHICLE RENTAL

- When justifiable, the rental of a vehicle may be authorized for travelers by the City Clerk.
- Unauthorized vehicle rentals are not eligible for reimbursement to the traveler.
- To the extent possible, the vehicle rental shall be arranged for and paid by the City.
- The most economical class size of vehicle for the number of people traveling on the business trip shall be secured, except that driving conditions may be considered for the type of vehicle rented.
- Travelers are responsible for refueling rental vehicles prior to returning them to the rental company.
- If the rental vehicle company refuels the vehicle, a justifiable business purpose must be provided for incurring the additional cost.



	Approved	Denied
Action taken	2/23/04	
Other:		
Verified by:	<i>K. Smith</i>	

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 04-15(AM)

TITLE: APPROVAL OF CITY COUNCIL TRAVEL POLICY

Agenda of: February 23, 2004
Originator: Jamie Newman, Deputy Clerk

Date: February 24, 2004

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	
X	Finance *signature required	
X	Clerk	<i>K. Smith</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes \$ or no

Funds Available yes no

Account name/number:

Attachments: n/a

SUMMARY STATEMENT: Pursuant to WMC 2.04.035. A, the following Travel Policy is established for the Wasilla City Council, when traveling on approved official city business:

TRANSPORTATION AND LODGING

- Airfare and lodging may be arranged for and paid by the city for the traveler only. Coach class or any discounted class airfare shall be used in the interest of economy. Travel schedules shall be arranged to the city's best advantage and any deviations from the shortest or least expensive route or ticket will be the responsibility of the traveler.

PER DIEM

- The city will pay the traveler in advance, a per diem rate based on the Conus rate for the applicable travel area as recognized by the IRS. Per diem shall be used for food and other appropriate incidental expenses, including: phone calls, gratuities, etc. The city will **not** reimburse for actual expenditures above the Conus rate. The purchase of alcoholic beverages with city funds is prohibited under the Drug Free work place rules and regulations.

TELEPHONE USE

- A calling card will be issued to the traveler at a base rate of 20 minutes per day. Any telephone charges billed to the room will be considered an incidental and paid for by the traveler with per diem funds.

RENTAL CARS

- Advance reservations should be made and a compact or economy model requested in the interest of economy.

MILEAGE EXPENSES

- Private vehicle mileage shall be reimbursed at the rate allowed by IRS for use of privately owned vehicles. Beginning and ending odometer readings are required when submitting for reimbursement.
- The city shall reimburse the traveler for actual transportation expenses, including: taxi fare and public transportation. **Ten business** days after travel is complete, receipts for actual expenses must be submitted to the city clerk for reimbursement. Each receipt must have written on the back of the slip the purpose of the purchase, the name of the traveler, and the date.

STAFF RECOMMENDED ACTION: Adoption of Travel Policy

CITY OF

WASILLA

OFFICE OF THE CITY CLERK

www.cityofwasilla.com

Community Grant Policy

Scope:

City Council

Authority:

IM No. 19-03

Table of Contents:

Policy Statement

Policy Contact:

City Clerk

373-9090

clerk@ci.wasilla.ak.us

Effective:

March 11, 2019

Notes:

This policy supersedes AM No. 04-12

1. POLICY STATEMENT

The community grant policy adopted through AM No. 04-05 is repealed in its entirety. Community grants are not available from the City.



	Approved	Denied
Action taken	<i>Amended</i>	<i>2/9/04</i>
Other:	<i>Selected option # 4</i>	
Verified by:	<i>J. Smith</i>	

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 04-12

TITLE: Community Grant Policy

Agenda of: February 9, 2004
 Originator: Jamie Newman, Deputy Clerk

Date: February 2, 2004

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>J. Smith</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes\$ or no

Funds Available yes no

Account name/number:

Attachments:

SUMMARY STATEMENT: In discussing and reviewing the council meeting tape we discovered that the clerk and deputy clerk were not clear on the newly adopted grant policy. We briefly discussed the matter with Council Members Sande and Straub and they too agreed clarification was needed. Because of the confusion the clerk made a decision to extend the community grant application deadline to March 1, 2004 for this year only.

After discussing the process it made sense to us that funding for grants should be established prior to the applicant applying for funding. This prevents the applicant and staff from spending valuable time and energy on a non-funded item.

We recommend the following options for discussion:

1. to grant funds to eligible applicants (those that applied by March 1, 2004) out of existing FY-04 funds (\$20,000 is currently allocated);
2. to determine funding for community grants during the FY-05 budget and to disburse those funds after July 1, 2004 (those that applied by March 1 would be eligible to receive funding);

3. to revise the grant policy to establish that the council will determine funding for community grants during the budget process with grant applications due August 1st. This will prevent the applicant from spending resources to apply for funding that is unavailable.

4. to repeal the existing grant policy and "get out of the grant business"

STAFF RECOMMENDED ACTION: select an option above.

CITY OF

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Policy on Attorney Consultations with Individual Council Members

Scope:

Council Members

Authority:

IM No. 19-03

Table of Contents:

Definitions

Purpose

Policy

Policy Contact:

City Clerk

373-9090

clerk@ci.wasilla.ak.us

Effective:

March 11, 2019

Notes:

This policy supersedes AM No. 06-64(AM)

1. DEFINITIONS

“Administration” means the mayor and his or her staff.

“City” means the City of Wasilla.

“City Council” means the city council of the city.

“City Attorney” means the attorney or firm under contract with the City to perform general legal services.

“Council Member” means a member of the city council.

2. PURPOSE

The purpose of the policy is to provide an opportunity for individual council members to consult with the city attorney to assist in the informed performance of their duties.

3. POLICY

- Consultations are limited to one hour per month per individual council member.
- The consultation is limited to general advice on legal principles that apply to performing duties as a council member. Individual council members may not direct the city attorney to work on projects or conduct research without approval of the body.
- Consultations shall be billed by the name of the council member contacting the attorney and the subject of the consultation.
- The consultation will not be confidential – the substance of the consultation is subject to disclosure to other City officials as required by the attorney’s professional responsibility to the client, the City.
- The attorney cannot provide advice to an individual council member in support of an interest that is adverse to the City.
- If the attorney is consulted by an individual council member on a matter that is in controversy among council members or the council and administration, any advice that is given will be provided to all city officials who are interested in the matter to avoid the appearance of favoritism to one side of the issue or the other.



	Approved	Denied
Date Action Taken:	12/11/06	
Other: Amended action.		
Verified by: <i>Tom Klinkner</i>		

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 06-64(AM)

TITLE: TO AUTHORIZE INDIVIDUAL COUNCIL MEMBERS ONE HOUR EACH MONTH OF ATTORNEY SERVICES TO DISCUSS CITY RELATED ISSUES.

Agenda of: December 11, 2006

Date: December 12, 2006

Originator: Deputy Clerk for Council Member Menard

Route to:	Department	Signature/Date
X	Finance, Risk Management & MIS Director Purchasing	
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER:

Dianne M. Keller

FISCAL IMPACT: yes \$ _____ or no Funds Available yes no

Account name/number: Legislation Council/Legal Services 001.4115.411.30-32

Attachments: *MEMO from Tom Klinkner dated 11/30/06.*

SUMMARY STATEMENT: Currently council members are not authorized to contact the city attorney directly. Council Member Menard is purposing to allow individual council members the authority to utilize city attorney services for city business only, for a maximum time of one hour each month, without approval of the council as a whole.

This does not give the council authority to direct the attorney to work on projects or conduct research without approval of the entire body. The intent is to allow council members an avenue for brief discussions with the attorney on an individual basis.

ACTION: To authorize individual council members one hour each month of attorney services to discuss city related issues without approval of the entire body. Council members utilizing the services of the city attorney shall notify the clerk prior to the next scheduled council meeting. The notification and the nature of the consultation shall be included in the next clerk's report to the council to include the name of the council member and the time spent.

MEMORANDUM

TO: Members of the City Council

FROM: Tom Klinkner

DATE: November 30, 2006

RE: Attorney Consultations with Individual Council Members, AM No. 06-64

The opportunity for individual Council members to consult with the City Attorney, if used judiciously, can assist Council members in the informed performance of their duties. This practice will be most beneficial where a Council member requires advice of a general nature on legal principles that apply to performing duties as a Council member.

However, Council members consulting individually with the City Attorney must understand clearly that the City Attorney represents the City as a corporate entity, and does not represent City officials in any individual capacity. This has at least two important implications for individual Council members consulting with the City Attorney.

- First, a consultation between an individual Council member and the City Attorney will not be confidential—the substance of the consultation is subject to disclosure to other City officials as required by the City Attorney's professional responsibility to his client, the City. For example, if a consultation with an individual Council member reveals that the Council member would have a conflict of interest in voting on a matter before the Council, the City Attorney may be obligated to disclose the conflict to the Council if the Council member does not do so.
- Second, the City Attorney cannot provide advice to an individual Council member in support of an interest that is adverse to the City. For example, the City Attorney could not advise a Council member, who requests the advice on behalf of a constituent, whether the constituent has a viable legal claim against the City—the constituent must seek the advice of his own attorney on the issue.

If the City Attorney is consulted by an individual Council member on a matter that is in controversy among Council members or between the Council and the Administration, any advice that is given should be provided in writing to all City officials who are interested in the matter, to avoid any appearance of favoritism to one side of the issue or the other. A good example is the issue that arose two or three years ago concerning whether a Council member continued to meet the residence requirement for Council membership.

I anticipate that if the Council approves AM 06-64, all Council members will use good judgment and discretion in their individual consultations with the City Attorney, and that none of the issues discussed above actually will arise. I mention them only because they have arisen in the past when I have represented other municipal clients.