

Resolution No. 2024-XXX N.C.S. of the City of Petaluma, California

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA ADOPTING THE CITY OF PETALUMA EXPENSE REIMBURSEMENT POLICY FOR CITY COUNCILMEMBERS AND REPEALING AND REPLACING RESOLUTION NO. 2003-045 N.C.S.

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

WHEREAS, public resources should be used by such officials when there is a benefit to the City; and

WHEREAS, such benefits include, but are not limited to:

1. Communicating with representatives of regional, state, and national government on City-adopted policy positions and/or other matters of community concern;
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;
4. Promoting public service and morale by recognizing such service on the part of City employees, members of the community, and/or other individuals;
5. Attending events that affect the City's interests;
6. Promoting or implementing a strategy for attracting or retaining businesses and other development to the City; and
7. The performance of such other official duties that affect the City's interests; and

WHEREAS, Government Code Section 36514.5 allows for the reimbursement to Mayor and Councilmembers for actual and necessary expenses incurred in the performance of their official duties; and

WHEREAS, on March 3, 2003, City Council adopted Resolution 2003-045 N.C.S, attachment 2 of the concurrent Staff Report which set forth the policy for the Mayor and Councilmembers to be reimbursed for their expenses in performing official City duties; and

WHEREAS, in 2005 the State passed Assembly Bill 1234 which requires a local agency that provides reimbursement for expenses to members of its legislative body to adopt a written policy on the duties for which legislative body members may receive reimbursement for performing their official duties; and

WHEREAS, the attached City of Petaluma Expense Reimbursement Policy for City Councilmembers ("Policy") provides guidance to City officials on the use and expenditure of City resources, as well as the standards against which those expenditures will be measured; and

WHEREAS, this Policy would satisfy the requirements of AB 1234, specifically California Government Code sections 53232.2 and 53233.3 in the event such requirements could be constitutionally applied to charter cities; and

WHEREAS, the proposed action is exempt from the requirements of the California Environmental Quality Act ("CEQA") in accordance with CEQA Guidelines Section 15378(b), in that ratifying the attached reimbursement Policy does not meet CEQA's definition of a "project," because the action does not have the

potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because this is a fiscal action and personnel-related action that constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into the resolution as findings of the Petaluma City Council.
2. The proposed action is exempt from the requirements of the California Environmental Quality Act (“CEQA”) in accordance with CEQA Guidelines Section 15378(b), in that ratifying the attached reimbursement Policy does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because this is a fiscal action and personnel-related action that constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.
3. The Expense Reimbursement Policy, attached hereto as Exhibit A, is adopted.
4. Resolution 2003-045 N.C.S. and the policy attached, “Mayor and Council Members Expense Reimbursement Policy” is hereby repealed.
5. This Resolution shall become effective immediately.
6. Directs staff to create an ethics training to satisfy Assembly Bill 1234.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:	I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 15 th day of July 2024, by the following vote:	Approved as to form:
AYES:		_____ City Attorney
NOES:		
ABSENT:		
ABSTAIN:		
ATTEST:	_____ City Clerk	_____ Mayor

EXHIBIT A

City of Petaluma Expense Reimbursement Policy for City Councilmembers

EXHIBIT B

City of Petaluma Expense Reimbursement Form for City Councilmembers