



**COUNTY
ADMINISTRATIVE OFFICE
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: March 9, 2010

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)						
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Kristin Bennett PHONE: 636-5005

SUBJECT: Recommended revision of Administrative Regulations pertaining to reimbursement and payment of employee expenses

REQUEST(S):

1. The Board of Supervisors directs County staff to draft and present to the Board for review a recommended formal policy regarding reimbursement of expenses, including meals and mileage;
2. The Board of Supervisors further directs County staff to ensure that the formal policy for reimbursement of expenses, as it pertains to members of the Board of Supervisors, conforms with the requirements of the Brown Act;
3. In the event there is confusion or a lack of clarity in interpreting the Brown Act requirements, the Board directs County staff to draft this policy in favor of strict interpretation of the Brown Act; and,
4. Until such time as a formal policy is presented and adopted, the members of the Board of Supervisors will suspend its practice of eating together as a group of 3 or more members, unless they are doing so at a ceremonial occasion, or as otherwise permitted under the Brown Act.

SUMMARY:

Recent review of reimbursement procedures of the Board of Supervisors and employee expenses has raised issues regarding the related Administrative Regulations. It is recommended that the County Administrative Officer revise the

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DATE: reimbursement and payment of employee expenses
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Administrative Regulations pertaining to the reimbursement and payment of employee expenses.

In serving their constituents, the members of the Board of Supervisors travel both within and outside the County to participate in various meetings, ceremonial appearances, lobbying efforts, and other matters. This travel includes eating meals together and reimbursement for meals and other travel-related expenses. There is a historic, long-standing practice of members of the Board of Supervisors eating together on meeting days. There is no formal policy to provide members of the Board of Supervisors with guidance in eating meals and traveling together consistent with the requirements of relevant statutes.

The lack of a formal policy regulating the actions and reimbursement of the members of the Board of Supervisor has hindered the Board's objectives in serving their constituents, and distracted needed attention from essential County business. The creation of a clearly defined policy would serve the Board in serving its constituents and furthers transparency in government.

It is recommended that the County Administrative Officer revise the Administrative Regulations pertaining to the reimbursement and payment of employee expenses and establish a formal policy regarding reimbursement of expenses, including meals and mileage for Board of Supervisors.

The County Administrative Officer will ensure that the formal policy conforms with the requirements of the Brown Act and relevant statutes.

It is further recommended that during the review and development of revised Administrative Regulations and formal policies that the Board of Supervisors suspends its practice of eating together as a group of 3 or more members, unless they are doing so at a ceremonial occasion, or as otherwise permitted under the Brown Act.

FISCAL IMPACT/FINANCING:

N/A

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

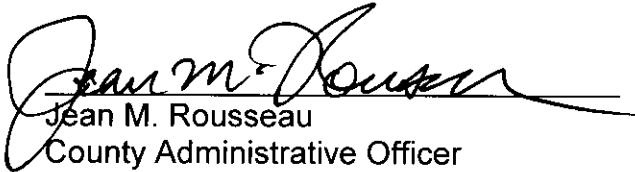
The County's five-year strategic plan includes the Organizational Performance Initiative to continuously improve organizational effectiveness. This helps fulfill this initiative by ensuring the revision of the Administrative Regulations is consistent with appropriate government codes.

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INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

The County Administrative Officer will coordinate with Auditor/Controller, County Administrative Office, and County Counsel to develop appropriate Administrative Regulations.

ADMINISTRATIVE SIGN-OFF:


Jean M. Rousseau
County Administrative Officer

Cc: Auditor/Controller
County Counsel
County Administrative Office

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

**IN THE MATTER OF RECOMMENDED)
REVISION OF ADMINISTRATIVE)
REGULATIONS PERTAINING TO)
REIMBURSEMENT AND PAYMENT)
OF EMPLOYEE EXPENSES)**

**RESOLUTION NO. _____
AGREEMENT NO. _____**

WHEREAS, the members of the Board of Supervisors are elected to serve and meet the needs and concerns of the residents of Tulare County;

WHEREAS, the members of the Board of Supervisors are dedicated to serving their constituents as effectively and efficiently as possible;

WHEREAS, in serving their constituents, the members of the Board of Supervisors travel both within and outside the County to participate in various meetings, ceremonial appearances, lobbying efforts, and other matters;

WHEREAS, that travel includes eating meals together;

WHEREAS, that travel includes reimbursement for meals and other travel-related expenses;

WHEREAS, there is a historic, long-standing practice of members of the Board of Supervisors eating together on meeting days;

WHEREAS, there is no formal policy to provide members of the Board of Supervisors with guidance in eating meals and traveling together consistent with the requirements of the Brown Act;

WHEREAS, the lack of a formal policy regulating the actions and reimbursement of the members of the Board of Supervisor has hindered the Board's objectives in serving their constituents, and distracted needed attention from essential County business; and,

WHEREAS, the creation of a clearly defined policy would serve the Board in serving its constituents and furthers transparency in government;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board of Supervisors directs County staff to draft and present to the Board for review a recommended formal policy regarding reimbursement of expenses, including meals and mileage;
2. The Board of Supervisors further directs County staff to ensure that the formal policy for reimbursement of expenses, as it pertains to members of the Board of Supervisors, conforms with the requirements of the Brown Act;
3. In the event there is confusion or a lack of clarity in interpreting the Brown Act requirements, the Board directs County staff to draft this policy in favor of strict interpretation of the Brown Act; and,
4. Until such time as a formal policy is presented and adopted, the members of the Board of Supervisors will suspend its practice of eating together as a group of 3 or more members, unless they are doing so at a ceremonial occasion, or as otherwise permitted under the Brown Act.

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk