

REPORT TO CITY COUNCIL

DATE: JUNE 22, 2016

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER *GR*

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER *nh*
CELESTE BIRD, ADMINISTRATIVE ANALYST *CB*

SUBJECT: AMENDING THE TRAVEL AND EXPENSE POLICY, TECHNOLOGY ALLOWANCE POLICY AND TELECOMMUNICATIONS POLICY OF THE EMPLOYEE HANDBOOK.

In order to assure compliance with current Federal and State regulations and Best Management Practices, staff periodically reviews individual policies within the Employee Handbook. Following a review by Human Resources staff, it was determined that several existing policies required updates and amendments: Travel and Expense Policy, Technology Allowance Policy and the Telecommunications Policy.

The revisions attached to these policies include formatting changes and the following:

TRAVEL AND EXPENSE POLICY

1. Addition of the words "or designee" in reference to City Manager approvals.
2. The meal allowance daily amount associated with employee attendance at educational/professional conferences and training events has been increased in accordance to standards established by the United States General Services Administration.

TECHNOLOGY ALLOWANCE POLICY

1. Addition of language regarding cell phone use by non-exempt employees during non-work hours.
2. Removal of section regarding City-provided cell phones, due to changes in the Internal Revenue Code regarding employer provided cell phones.

TELECOMMUNICATIONS POLICY

1. Addition of language clarifying rights of privacy and the City's ability to audit City electronic systems used by employees.

2. Changing the expiration cycle of computer passwords from every forty-five (45 days) to every ninety (90) days. This coincides with the new security provisions within the City's information technology network.

The proposed policy changes have been reviewed and approved by the City Attorney's Office.

RECOMMENDATION

It is respectfully recommended the City Council adopt the amendments to the Travel and Expense Policy, Technology Allowance Policy and Telecommunications Policy of the Employee Handbook.

Attachments: (1) Travel and Expense Policy
(2) Technology Allowance Policy
(3) Telecommunications Policy



CITY OF AGOURA HILLS

TRAVEL AND EXPENSE POLICY

It is the policy of the City to reimburse City officials and staff for the expense of travel related to City business according to the statement of policy and procedures set forth below:

PURPOSE

The purpose of this policy is to establish a travel and expense policy for elected officials, Commissioners, and City employees when attending business or professional conferences, training seminars or other travel on authorized City business.

It is the intent of the City of Agoura Hills to assure compliance with IRS regulations. Reimbursement of business-related expenses paid to employees is generally tax free; however, employees must substantiate the expenses with original receipts.

The City's Auditor has requested that any expenses claimed which are not accompanied by an original receipt will be shown as additional income on the annual IRS W-2's.

POLICY

Administrative travel is limited to the following classifications of expenditures for the benefit of the City in connection with "out-of-City" trips:

1. **Authorized Travelers**

Except for elected officials, Commissioners, and Council-appointed employees, attendance at conferences shall be approved by the City Manager or designee. Any number of elected officials, Commissioners or Council-appointed employees may attend conferences provided that funds for such purposes are specifically provided for and included in the annual budget. In the absence of an annual budget, such travel must be approved in advance by the City Manager. The City Manager or designee may authorize the attendance of additional City employees, if deemed appropriate by the Manager and travel funds are available, at such functions as the annual League of California Cities conference.

2. **Transportation**

Use of air, train, private car or bus shall be selected on the basis of the most reasonable and appropriate method, taking into consideration distance, time and total costs to the City after all expense items are tabulated.

When the use of private automobile is approved, reimbursement shall be at the prevailing rate per mile. Staff will determine the actual door-to-door total mileage, using Auto Club maps, with an additional 15% added in. Payment for mileage will be made in advance and is intended to cover gas, oil, tires, repairs, and automobile insurance. Use of a privately owned vehicle on City business requires the driver to possess a valid California driver's license and to carry automobile insurance.

Any damages to the vehicle or service repairs are of a personal nature, and are not reimbursed by the City. Reimbursement will be based on the vehicle and not on the number of employees attending (i.e., the owner of the vehicle will be paid and not the passengers). Expenses such as tolls and parking will be fully reimbursed upon presentation of the original receipt.

When the use of public air carrier transportation is approved, travel for all personnel shall be in coach class or equivalent service.

While traveling, the use of rental vehicles is to be discouraged. Courtesy shuttle service, buses, or limousine service should be utilized between airports and meeting locations. When rental vehicles are used, the least expensive vehicle practical will be used.

3. **Lodging**

The cost of lodging accommodations for approved conferences, seminars or meetings will be arranged in advance directly by City staff or reimbursed to the employee as outlined in the following sections. In the case of advance arrangements, a check will be issued to the traveler prior to departure which will cover all hotel/motel charges, including parking.

Hotel and motel charges shall be based on single occupancy rates. The City will not reimburse employees for lodging expenses incurred by family members when an employee's family accompanies him/her, or for any charges for additional guests in the same room. Under no circumstances should lodging expenses exceed the conference hotel rate. In instances where conference hotels are filled, the employee should attempt to secure comparable rates at the nearest hotel.

4. **Meal Expenses**

The meal allowance is \$4950.00 (which includes taxes and tips) per day. ~~Allowable costs of meals will be \$8.00 for breakfast, \$12.00 for lunch, and \$20.00 for dinner, as established by the United States General Services~~

Administration. A check will be issued prior to the date of travel to cover the allowable costs. Applicable receipts must be submitted with the employee's name and nature of the business documented. Any expenditure without a receipt will appear as additional income on the employees W-2 at year end. Expenses shall not exceed the daily meal limit amounts set, regardless of the amount of receipts submitted. Meals that are included in the conference registration fee will not be an allowable expense.

5. **Unauthorized Expenses**

Items of personal nature are not reimbursable including: movies, entertainment, premium television services, alcoholic beverages, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, purchase of clothing or toiletries, loss of tickets, fines or traffic violations, excess baggage, spouse and/or guest accommodations, office equipment and other personal items.

Special training sessions and other unique one-time meetings or situations may be pre-approved by the City Manager **or designee** on a case-by-case basis. The City will not reimburse for optional quasi-social functions such as retirement or testimonial dinners unless approved in advance by the City Manager.

If unauthorized expenses have been paid by the City (i.e., via credit card or petty cash), the employee will be responsible for **immediate** reimbursement to the City either by personal check or a payroll deduction.

6. **Forms Required**

The Finance Officer will establish such forms as are necessary and appropriate to provide accurate records of travel requests and travel expense reimbursement. Such forms shall be approved by the City Manager.



~~Technology Allowance and Cell Phone Usage Policy~~

SECTION 1

TECHNOLOGY ALLOWANCE POLICY

I. PURPOSE

To provide guidelines and criteria regarding the approval and use of a monthly technology allowance.

II. POLICY

As the use of technology (cellular phones, internet, data access to email, etc.) has become more commonplace within the work environment, certain employees are designated by their job duties and functions to be accessible via cellular phone, text or email and can be designated to receive a monthly allowance to compensate the employee for this requirement. The City is requiring employees who are issued technology allowance to adhere to the following:

- A. City-issued technology allowance will be issued as determined by need as directed by the City Manager or designee.
- B. Designated employees must maintain cellular phone service in order to remain eligible for the monthly allowance provided by the City. Designated employees shall provide documentation upon request to verify continued ownership and business use of a cellular phone in order to maintain their monthly allowance. Documentation must be submitted by employee once a quarter indicating cellular service is currently active.
- C. Designated employees and authorized persons are expected to be available via cellular telephone during normal business hours, as workload requires, per schedule, while on-call duty, in emergency situations, or as agreed upon with their supervisor. If non-exempt employees perform work (including responding to work contacts) during off-duty time, they will be compensated of overtime as outlined in Rule V, Section 2 of the City's Personnel Rules.
- D. Designated employees receiving the allowance shall provide their cellular number and any subsequent changes to the number to human resources within three days of the change.

E. Designated employees will be responsible for purchase, replacement, and/or repair of their cellular phone, accessories and equipment.

F. Effective July 1, 2008, California SB 1613 requires that all motorists use a hands-free (Bluetooth) device when using mobile communications units while driving. If a designated employee is cited by law enforcement for use of a mobile communications device while driving, the repercussions of the ticket are the responsibility of that designated employee.

G. Designated employees may upgrade their plan, equipment, or change wireless service at their own cost. However, eligibility for a data plan allowance requires that designated employees own a Smartphone/PDA cellular telephone that supports Microsoft Exchange Active Sync.

~~H. Monthly allowance amounts for designated employees shall be determined by the City Manager and shall not exceed \$85 per month. Positions that are or designee shall determine designated positions eligible for to receive the monthly full technology allowance (voice and data service) are as follows:~~

- ~~• City Manager~~
- ~~• Assistant City Manager~~
- ~~• Community Services Director~~
- ~~• Assistant not to the City Manager~~
- ~~• City Engineer~~
- ~~• Building Official~~
- ~~• Public Works Project Manager~~
- ~~• Administrative Analyst – Emergency Services, Cable, Facilities~~
- ~~• Recreation Supervisor – Parks exceed \$85 per month, and Facilities, Special Events, Community Concert Band~~

~~H. _____ Positions that are designated positions eligible for a to receive the cellular allowance (voice service only) are as follows: not to exceed \$45 per month.~~

- ~~• Director of Finance~~
- ~~• City Clerk~~
- ~~• Recreation Manager~~
- ~~• Code Enforcement Officer~~
- ~~• Parks and Landscape Supervisor~~
- ~~• Recreation Supervisor – Transportation~~

I. Payment of any cellular phone use in excess of the City-paid monthly allowance of \$45 per month shall be the personal responsibility of the user.

- J. Payment of any data use in excess of the City-paid monthly allowance of \$40 per month shall be the personal responsibility of the user.
- K. Employees shall not use cellular phones (both talking and texting) while operating a City-owned pool or privately-owned vehicle in the course of conducting City business. However, a cellular phone may be used for talking with a hands-free device when it is reasonably safe to do so.
- L. Technology allowance is considered a taxable income and shall be reflected as such on your income statement.

SECTION 2 — CELL PHONE USAGE POLICY

I. — PURPOSE

~~To ensure compliance with Internal Revenue Code (IRC) regarding governmental employers who provide or issue cell phones to employees and to provide employees with additional information regarding cell phones and their use. Under the IRC, cell phones are considered “listed property” and as such, the employer is required to have a method to track and account for cell phone records that distinguish business and personal use.~~

II. — POLICY

~~The City, in its effort to meet compliance with IRC, is requiring employees who are issued or provided with a cell phone to adhere to the following:~~

- ~~A. City issued cell phones will be issued as determined by need and as directed by the City Manager.~~
- ~~B. The issuance of a City owned phone is a privilege and should be treated as such during its usage.~~
- ~~C. Should employees who are issued or provided a cell phone choose to use the cell phone for business purposes only, which means no personal use at all, then the employee will be asked to sign an agreement acknowledging that the employee understands the City policy and IRC regarding employer issued cell phones. The employee also commits not to use the phone for personal use and acknowledges that the Finance Director, or his/her designee, will routinely audit cell phone bills to ensure there is no personal use.~~
- ~~D. Should employee use the cell phone for ANY personal use, it is the EMPLOYEE'S responsibility to accurately track the usage and report it to the Finance Director prior to the payment of the monthly cell phone bills being processed. Employee agrees to pay \$0.65 for each usage minute, which covers the cost of usage, a portion of the monthly service fee, special fee costs, and administrative oversight costs. Should a~~

~~special usage fee cost more than the above listed fee allocation, the employee will be solely responsible to immediately reimburse the City for that cost, plus the usage minute fee of \$0.65/minute. Due to the fact that the City has limited staff and resources, and the continual need to utilize these limited resources is caused by a use not on behalf of the City's normal business activities, employees who continually have personal usage on a month-to-month basis will be restricted to business use only and will be required to follow the procedures described in Policy Item C.~~

- ~~E. Should employee choose to use City issued cell phone for business and personal use, the monthly service and any other usage fees will be calculated as income, reportable on the employee's W-2 form. This amount will be taxed at the appropriate rate specific to that employee's individual withholdings, reportable annual income, and the IRC.~~
- ~~F. The City reserves the right to access, review and/or disclose any communications, data, stored information, or records related to any City provided cell phone and its use. A supervisor may require that an employee surrender a City provided phone at any time and may review any data or information stored on that device. Thus, employees do not have a reasonable expectation of privacy in their use of a City provided cell phone. Cell phone records and stored information could be subject to disclosure under the Public Records Act.~~
- ~~G. Cell phones shall not be used for improper or illegal purposes, such as harassing, discriminatory, and defamatory use.~~
- ~~H. The City's Finance Director and/or his/her designee are hereby designated with the duty and responsibility to routinely audit the cell phone records, monitor use, or access information, to ensure compliance with City policies, the IRC, investigate misconduct, and/or locate needed information or diagnose technical problems.~~
- ~~I. Employees shall not use cellular phones (both talking and texting) while operating a City owned pool or privately owned vehicle in the course of conducting City business. However, a cellular phone may be used for talking with a hands free device when it is reasonably safe to do so.~~

III. III. ACKNOWLEDGEMENT

Upon receipt of this policy, each employee shall sign a form acknowledging that he/she is aware of this policy regarding the technology allowance.

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City of Agoura Hills Technology Allowance and Cell Phone Usage Policy Acknowledgement

~~By my signature below, I acknowledge that I have received, read, understand, and will adhere to the Technology Allowance and Cell Phone Usage Policy. I understand that I do not have a reasonable expectation of privacy in work-related communications or communications using City resources. I agree to cooperate with the City as necessary to provide access to messages and communications that must be disclosed under the California Records Act or in discovery for legal proceedings (if any).~~

Signature

Date

Print Name

Cellular Phone Number

TELECOMMUNICATIONS POLICY

OVERVIEW

~~Electronic mail (email) can be a very effective way of sharing information with others, both inside and outside of our organization. However, because email often appears less formal than other forms of written communication, there is a tendency to forget that email messages are no less a part of "official city business" than any other hard-copy City correspondence.~~

The City's Telecommunications Policy consists of three components:

1. Electronic Mail
2. Internet Access and Use
3. Computer Passwords

The purpose of this policy is to set forth guidelines for ~~using the City's email system—whether internal to the City or with others via the internet—~~above referenced components that retain ~~its inherent~~the value for ~~enhancing~~obtaining information ~~exchange~~ while also assuring ~~its~~ appropriate use in conducting City business.

PURPOSE OF EMAIL

Employees should understand that:

- While using any of the City's electronic systems in any nature or type, employees agree to waive all rights to privacy. This includes the employee providing their express consent to the City's reading, retrieving, listening to, etc of any of their activities while on City's electronic systems.
- Information, data, videos, pictures, etc. that are posted to an employee's personal social media accounts while using the city's electronic systems, may be accessed by the City.
- The City reserves and will exercise the right to review, audit, intercept, access, and disclose all matters on the City's electronic systems and services at anytime, with or without notice.

1. ELECTRONIC MAIL

The City's email system exists solely for the purpose of conducting City business, and is not intended for personal use.

All electronic data placed on the City's information systems are the property of the City. Accordingly, employees should have no ~~expectations of expectatio~~ privacy in their email messages (or any other data files residing on City-owned hardware), whether sent or received. This means that others may have access to your email messages, sent and received.

 While email messages and other data files will not be routinely monitored, the City reserves the right for authorized staff to access and review all email messages and data files on the City's information systems at any time. Reasons for doing so include:

- Retrieving lost data.
- Recovering from system failures or monitoring system performance.
- Complying with lawful requests for information.
- Ensuring that City information systems are being used in accordance with this policy.

There are a number of circumstances under which email messages may be publicly disclosed.

 The disclosure of email messages (or any other data files) may be legally required under the Public Records Act or other laws. The designation of any message as "private" or "confidential" will not necessarily prevent the disclosure of any particular email message. The City shall not be liable for this type of disclosure of information in any way. In short, the City's information

Electronic Mail Policy

 systems do not provide any guarantee of personal privacy protection, and employees should use them with this limitation in mind.

Limits to access. While the City reserves the right to access and review all data on its information system, no employee or independent contractor is allowed to access email or other data files solely for the purpose of satisfying idle curiosity about the affairs of others.

Since our email system exists for the purpose of conducting City business, good judgment and common sense should prevail at all times regarding its appropriate use. Under this standard, it is not possible to list all of the allowed and prohibited uses of email. However, the use of City email is expressly prohibited whenever it would:

- Compromise the integrity of the City and its business operations in any way.

- Break the law by sending chain letters or copies of documents in violation of copyright laws, or by committing any other illegal acts.
- Contain offensive, abusive, threatening or obscene language or graphics.
- Violate the City's affirmative action or sexual harassment avoidance policies by including content that is sexually explicit or could be construed as discriminatory based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs.
- Advertise or promote commercial ventures, religious beliefs or political causes.
- Result in private gain or advantage for the employee (such as conducting business related to economic interests outside of City employment); or violate the City's ethics policy.
- Threatens the integrity of the City's computer system by downloading programs of software not approved by the Finance Officer and files or data not directly related to City-business.

RECORDS MANAGEMENT AND FILE MAINTENANCE

Email messages are considered "transitory" documents (work-in-progress) and intra-agency correspondence, and therefore are not subject to minimum records retention requirements. Emails that are not retained in the normal course of business are not "public records." For file management and storage purposes, email messages should only be retained for as long as needed. In most instances, this means you should delete messages as soon as you read them, and shortly after you have sent them.

Electronic Mail Policy

Recovery Features

- **User level.** For system management and file maintenance purposes, users should retain messages in their inbox a maximum of 14 days and then delete. Any message requiring retention should be saved by the user as a Word document into "My Documents."
- **Records retention.** It is the responsibility of individual users and their Department Heads to determine if an undeleted email is an Official City Record that must be retained in accordance with the City's Record Retention Schedule. The City Clerk will assist you in making such a determination.

- **Inspection or production of documents.** Periodically, the City receives requests for inspection or copies of documents pursuant to the Public Records Act, as well as demands by subpoena or court order of such documents. Employee email, even those of a personal nature, may be subject to legally required disclosure. The City Clerk shall be contacted regarding any such requests or demands.

EMPLOYEE RESPONSIBILITY

- **General.** Each employee is responsible for understanding and following these guidelines. All employees will sign a statement acknowledging that they have been provided with a copy of the City's email policy, understand it, and agree to abide by it as a condition of being provided access to and use of the City's information system. Unauthorized or improper use of the City's information systems may result in terminating access to them; and depending on the severity of the outcome of unauthorized or improper use, may result in disciplinary action, including termination.
- **Receipt of inappropriate email.** If you receive an inappropriate email message under these guidelines, please contact your Department Head or Personnel Director.

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2. INTERNET ACCESS AND USE POLICY

OVERVIEW

___ The Internet can be a very effective resource in gathering information needed to conduct City business. However, as everyone knows, "surfing the net" can be very time consuming. It's easy to become absorbed with one link after another, ___ and forget the original *business* reason for accessing the Internet and visiting a ___ Web site. ~~This policy sets guidelines for using City resources in accessing the Internet that retain its value for obtaining information while also assuring its appropriate use in conducting City business.~~

PURPOSE OF PROVIDING INTERNET ACCESS

The City's Internet connection exists solely for the purpose of conducting City business, and is not intended for personal use.

___ Limited and appropriate personal use of the City's Internet connection is allowed, ___ provided that:

- It does not occur during an employee's assigned working hours.
- It is used in accordance with all other guidelines and restrictions set forth in this policy.

USE AND ACCESS GUIDELINES

Use of the City Internet Connection

___ Good judgment and common sense should always prevail regarding the appropriate use ___ of the City's Internet connection. - Under this standard, it is not possible to list all the allowed and prohibited uses of the City's Internet connection. However, use of the City's Internet connection *is expressly prohibited* if ___ such use:

- Compromises the integrity of the City and its business operations in any way.
- Commits any illegal act.
- Violates the City's affirmative action or sexual harassment avoidance policies.
- Results in private gain or advantage for the employee (such as conducting business related to economic interest outside of City employment), or violates the City's ethics code.
- Involves any employee in the use of pornographic or gambling-related materials.

EMPLOYEE RESPONSIBILITY

- **General.** Each employee with access to the City's Internet connection is responsible for understanding, and following these guidelines. Unauthorized or improper use of the City's Internet connection may result in terminating access to it; and depending on the severity of the outcome of unauthorized or improper use, may result in disciplinary action, including termination.



3. COMPUTER PASSWORD POLICY

OVERVIEW

The purpose of this policy is to set guidelines for setting employee passwords. The purpose of passwords on the computer system is for security reasons.

USE AND MAINTENANCE GUIDELINES

On January 19, 2005 passwords were created for employees and in the future ~~will~~ be required to gain access to the City's computer system. Passwords will expire on a cycle of every ~~forty-fiveninety~~ (9045) days at which time you will be prompted to create a new one. However the following requirements must be met:

- **Password must meet minimum length requirements** of seven (7) characters. This option determines the least number of characters that a password can contain.
- **Password must meet complexity requirements.** This option determines whether passwords must contain different types of characters. Passwords cannot contain all or part of a user's account name and must contain characters from three of the following four categories:

- a. —English uppercase characters (A through Z)
- b. —English lowercase characters (a through z)
- c. —Numerals (0 through 9)
- d. —Nonalphanumeric characters (such as; !, \$, #, and %)

EMPLOYEE RESPONSIBILITY

Each employee is responsible for understanding and following these guidelines in setting their own passwords. After the first password is issued, in a period of ~~forty-fiveninety~~ (90) (45) days that password expires, it will be the employee's responsibility to set a new password. Passwords are only to be changed on a ~~forty-fiveninety~~ (4590) day frequency.