



June 1, 2010

SENT VIA CERTIFIED MAIL, CMRR # 70081830000304994785

Office of the Attorney General
Attention: Open Records Division MC-014
P. O. Box 12548
Austin, Texas 78711-2548

Re: Open Records Request: Ken Martin #13

Dear Sir or Madam:

The City of Georgetown ("City") received the attached Open Records Act Request #13 from Mr. Ken Martin on May 17, 2010. Mr. Martin is requesting copies of "any and all records in the possession of Georgetown City Council Member Pat Berryman that would substantiate the expenses for which she claimed reimbursement for carrying out public business in her e-mail of December 15, 2009, addressed to City Attorney Mark Sokolow, and for which she was paid \$13,600 by the City of Georgetown covering the period from July 2008 through December 2009." Please see Open Records Request #13 attached hereto as Exhibit 1 for complete description of records requested.

The request specifically asks for any and all records *in the possession of a council member*. The City does not believe those records are "public information" subject to the Public Information Act (the "Act"). The Act defines "public information" as information that is collected, assembled or maintained under a law or ordinance or in connection with the transaction of official business: (1) by a governmental body; or (2) for a governmental body and the governmental body owns the information or has a right of access to it. Tex. Gov. Code Section 552.002(a).

In this case, the information requested is not "collected, assembled or maintained under a law or ordinance or in connection with the transaction of official business." At the time the payment of \$13,600 was made to Council member Berryman, no law or ordinance existed which required any council member to maintain records substantiating their expenses for the City. The Council Compensation Committee appointed by the Georgetown City Council per Section 2.15 of the City Charter established recommendations for City Council salaries and reimbursement of expenses. The Committee's recommendations are attached as Exhibit "B."¹ The recommendations were adopted by City Council on April 8, 2008. As a result, City Council members and the Mayor were entitled to be reimbursed without receipts or any other proof of

¹ The Council Compensation Committee has since issued new recommendations that have been adopted by the City Council and Section 2.16.020 of the Code of Ordinances has since been replaced with Ordinance 2010-15, requiring receipts as proof of expenses incurred. Attached as Exhibit "C."

the expenses. Consequently, the City does not own the information or have a right of access to it.

Thank you for your attention to this matter. The City looks forward to receiving your response to its request for a determination regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bridget Chapman". The signature is fluid and cursive, with the first name "Bridget" and last name "Chapman" clearly distinguishable.

Bridget Chapman

Assistant City Attorney, City of Georgetown

Attachment: Exhibit "A": Open Records Act Request #13 from Mr. Ken Martin
Exhibit "B": April 8, 2008 Council Compensation Committee Recommendations
Exhibit "C": Chapter 2.16 of the Code of Ordinances as amended by the April 5, 2010 Council Compensation Committee Recommendations

cc: Ken Martin
PO Box 4400
Austin, TX 78765

Sent Via U.S. Regular Mail



Open Records Request No. 13

Ken Martin to: khutchinson

Cc: Mark Sokolow, Pat Berryman, patberryman, bchapman

05/17/2010 03:37 PM

History:

This message has been forwarded.

Dear Keith Hutchinson,

This is a request for Georgetown City Council Member Pat Berryman and the City of Georgetown to produce records under the Texas Public Information Act.

Please promptly acknowledge receipt of this request to my e-mail address at ken@theaustinboxdog.org.

Please produce any and all records in the possession of Georgetown City Council Member Pat Berryman that would substantiate the expenses for which she claimed reimbursement for carrying out public business in her e-mail of December 15, 2009, addressed to City Attorney Mark Sokolow, and for which she was paid \$13,600 by the City of Georgetown covering the period from July 2008 through December 2009.

Please note that I am not--repeat not--requesting access to any personal information, such as checking account numbers, credit card account information, bank account numbers, or any other personal information. Any and all such information should be blacked out or otherwise obscured before the following records are provided in response to this request:

1. Records in the form of checking account registers with entries marked to indicate expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
2. Records in the form of checking account statements with entries marked to indicate expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
3. Records in the form of personal credit card receipts for expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
4. Records of telephone bills (phone usage fees) with entries marked to indicate expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
5. Records of car expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
6. Records of mileage driven in a personal vehicle to and from city council meetings to indicate expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
6. Records of expenses associated with Council Member Berryman's "designed home office" for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
7. Records of computer expenses for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009
8. Records of constituent communications expenses for which Council Member Berryman

claimed reimbursement for carrying out public business from July 2008 through December 2009

9. Records of expenses for food for constituent gatherings for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

10. Records of expenses for meeting costs for constituent gatherings related to the new Berry Creek Bridge for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

11. Records of meeting costs related to Neighborhood Watch for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

12. Records of mileage driven in a personal vehicle and parking costs related to monthly Capitol Area Planning Council of Governments for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009.

13. Records of mileage driven in a personal vehicle and parking costs related to training sessions for city business for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

14. Records of mileage driven in a personal vehicle and parking costs related to conferences held in neighboring cities for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

15. Records of mileage driven in a personal vehicle to and from city planning meetings, committee meetings and board meetings for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

16. Records of mileage driven in a personal vehicle to and from Georgetown Economic Development Corporation meetings for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

17. Records of mileage driven in a personal vehicle related to business meetings and community gatherings for city economic development for which Council Member Berryman claimed reimbursement for carrying out public business from July 2008 through December 2009

18. Records of mileage driven in a personal vehicle related to speeches, presentations, and other associated duties of the office of Mayor Pro Team i 2008-2009.

19. Any other records in possession of Council Member Berryman that would substantiate her claimed reimbursement for carrying out public business from July 2008 through December 2009

If clarification of this request is needed, please e-mail me at ken@theaustinbulldog.org to explain the clarification that is requested.

I look forward to your acknowledgement of receiving this e-mail and obtaining these records.

Ken Martin
Founder, Editor & Publisher
The Austin Bulldog



Investigative journalism in the public interest

An initiative of the Austin Investigative Reporting Project, a 501(c)(3) nonprofit

Phone O: 512-474-1022

e-mail ken@theaustinbulldog.org

web www.theaustinbulldog.org

<http://twitter.com/AustinBulldog>

<http://www.linkedin.com/myprofile>

P.O. Box 4400 Austin TX 78765

Organizer: [Austin Investigative Reporting Team](#) meetup group

Exhibit B

Council meeting date: 4-8-2008

Item No. T

AGENDA ITEM COVER SHEET

SUBJECT

Consideration and possible action to revise the compensation provided to the Mayor and Councilmembers

ITEM SUMMARY

The Council Compensation Committee appointed by the Georgetown City Council met on March 26, 2008. The Committee's agenda was to review and discuss Council compensation, including comparison with similar cities in the region, and to prepare a compensation recommendation for the City Council.

The Committee partitioned its work into two parts:

- 1) First, the discussion focused on the general philosophy supporting compensation for members of the Council and for the Mayor.
- 2) Second, the discussion focused on implementing a recommendation that represented the Committee's agreed upon philosophy for compensation.

The unanimous recommendation of the Compensation Committee is the following:

- 1) The City Council should strive to have members representing the full spectrum of citizens in the community of Georgetown, and candidates for these offices should not be unduly inhibited for serving by the expenses of the office or by the financial sacrifices they make while performing city duties. The decision to run for these offices should not be primarily driven by economic considerations. Council diversity will not be only the result of compensation, but the Committee is unanimous in its belief that compensation is an important factor in the equation.
- 2) The Committee reviewed compensation data from other regional cities. Responding to the standard of excellence that the city has demonstrated by its heritage, lifestyle and values, the Committee does not recommend trying to use a direct comparison of the Council's compensation with any other regional cities. They are not Georgetown. Council seats are viewed by our citizens as neither full volunteer positions or as fully compensated positions. The Committee attempted to find a middle ground between these two extremes.
- 3) It is recommended that there be two distinct forms of compensation implemented immediately.

Base Operational Expense compensation is intended to defer a portion of the normal expenses incurred while serving in the office, transportation costs and maintaining communication with constituents. This monthly payment should be \$300 for each council member and \$450 for the mayor. No expense statement or accounting of the detailed expenses incurred will be required.

Personal Expense compensation is intended to be an optional stipend for those council members and the mayor who wish to accept it as a way to partially offset the economic loss they incur as a result of serving on the council. A payment of \$800 per month for council members and for the mayor is recommended to be an annual option available.

FINANCIAL IMPACT

Council Line Item 100-620-5010-00 Salaries (officials) contains a current budget of \$21,000.00 for fiscal year 2007/2008. The impact of the proposed increase in salaries would mean an additional \$4,000.00

would be needed for the remainder of the fiscal year. The increase in payment is to start following the May 10, 2008 Election. In order to allow sufficient reserve for the additional stipend of \$800 per month, an additional \$32,000.00 is needed. The total increase to this year's budget line item would be \$36,000.00. This money would need to come from other City Council budget line items, such as from 100-620-5306-00 Travel and Training, or 100-620-5307-00 Subscriptions and Dues, 100-620-5502-00 Special Events, or 100-620-5501-00 Council Contingency.

So, next year's (2008-2009) budget would increase by \$9,600 for the base salaries and \$78,600 for the stipend.

ATTACHMENTS:

none

Submitted by:

Henry Carr Henry Carr, Chair of the Council Compensation Committee
Sandra A. Lee Sandra Lee, City Secretary

Exhibit C

ORDINANCE NO. 2010-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS ("CITY") AS TO AMENDING SECTION 2.16.010 and 2.16.020 OF THE CODE OF ORDINANCES AS IT PERTAINS TO COMPENSATION OR EXPENSE REIMBURSEMENT FOR THE MAYOR AND COUNCILMEMBERS; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, per Ord. 2000-63 and Ord. 900213, Chapter 2.16 of the Code of Ordinances states the following:

Sec. 2.16.010 Mayor's salary

The Mayor shall be paid a salary of \$350.00 per month, paid monthly; during the term for which he or she is elected.

Sec. 2.16.020 City Council salaries

Each Councilmember shall receive a salary of \$200.00 per month, paid monthly, during the term for which he or she is elected.

WHEREAS, Section 2.15 of the City Charter states the following:

The Mayor shall name a committee, composed of qualified voters, whose responsibility will be to review, at least every two(2) years, the salaries of the Mayor and Council members, and make recommendations regarding those salaries. The report of the committee shall be made at a regular Council meeting and shall require an official act by Council to either enact, alter or reject the recommendations. In all cases where action alters existing salaries for Mayor and Council members, the changes in salaries will begin immediately following the next election of city officials.

WHEREAS, on April 8, 2008, the City Council adopted the recommendations of the Committee as presented by the Committee Chairman which are attached hereto as Exhibit "A", and

WHEREAS, the following recommendations were approved:

Base Operational Expense compensation is intended to defer a portion of the normal expenses incurred while serving in the office, transportation costs and maintaining communication with constituents. This monthly payment should be \$300 for each councilmember and \$450 for the Mayor. No expense statement or accounting of the detailed expenses incurred will be required.

Personal Expense Compensation is intended to be an optional stipend for those council members and the Mayor who wish to accept it as a way to partially offset the economic loss they incur as a

result of serving on the council. A payment of \$800 per month for council members and for the Mayor is recommended to be an annual option available.

WHEREAS, the 2010 committee has made their recommendations as delineated in Exhibit "B".

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS THAT

Section 1. The meeting at which this ordinance was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 2. That Sections 2.16.010 and 2.16.020 of the Code of Ordinances is herein amended as denoted in Exhibit "C":

Section 3. That a sample form for the Statement of Expenses or Lost Income is attached as Exhibit "D".

Section 4. If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 5. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective on June 1, 2010 in accordance with the provisions of the Charter of the City of Georgetown.

PASSED AND APPROVED ON FIRST READING on the 13 day of April, 2010.

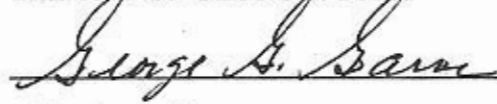
PASSED AND APPROVED ON SECOND READING on the 27 day of April, 2010.

ATTEST:



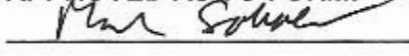
Jessica Hamilton,
City Secretary

THE CITY OF GEORGETOWN:



George G. Garver,
Mayor

APPROVED AS TO FORM:



Mark Sokolow,
City Attorney

Ord 4-2010-15

EXHIBIT "A"

AGENDA ITEM COVER SHEET

Council meeting date:

4-8-2008

Item No. T

AGENDA ITEM COVER SHEET

SUBJECT

Consideration and possible action to revise the compensation provided to the Mayor and Councilmembers

ITEM SUMMARY

The Council Compensation Committee appointed by the Georgetown City Council met on March 26, 2008. The Committee's agenda was to review and discuss Council compensation, including comparison with similar cities in the region, and to prepare a compensation recommendation for the City Council. The Committee partitioned its work into two parts:

- 1) First, the discussion focused on the general philosophy supporting compensation for members of the Council and for the Mayor.
- 2) Second, the discussion focused on implementing a recommendation that represented the Committee's agreed upon philosophy for compensation.

The unanimous recommendation of the Compensation Committee is the following:

- 1) The City Council should strive to have members representing the full spectrum of citizens in the community of Georgetown, and candidates for these offices should not be unduly inhibited for serving by the expenses of the office or by the financial sacrifices they make while performing city duties. The decision to run for these offices should not be primarily driven by economic considerations. Council diversity will not be only the result of compensation, but the Committee is unanimous in its belief that compensation is an important factor in the equation.
- 2) The Committee reviewed compensation data from other regional cities. Responding to the standard of excellence that the city has demonstrated by its heritage, lifestyle and values, the Committee does not recommend trying to use a direct comparison of the Council's compensation with any other regional cities. They are not Georgetown. Council seats are viewed by our citizens as neither full volunteer positions or as fully compensated positions. The Committee attempted to find a middle ground between these two extremes.
- 3) It is recommended that there be two distinct forms of compensation implemented immediately.

Base Operational Expense compensation is intended to defer a portion of the normal expenses incurred while serving in the office, transportation costs and maintaining communication with constituents. This monthly payment should be \$300 for each council member and \$450 for the mayor. No expense statement or accounting of the detailed expenses incurred will be required.

Personal Expense compensation is intended to be an optional stipend for those council members and the mayor who wish to accept it as a way to partially offset the economic loss they incur as a result of serving on the council. A payment of \$800 per month for council members and for the mayor is recommended to be an annual option available.

FINANCIAL IMPACT

Council Line Item 100-620-5010-00 Salaries (officials) contains a current budget of \$21,000.00 for fiscal year 2007/2008. The impact of the proposed increase in salaries would mean an additional \$4,000.00

would be needed for the remainder of the fiscal year. The increase in payment is to start following the May 10, 2008 Election. In order to allow sufficient reserve for the additional stipend of \$800 per month, an additional \$32,000.00 is needed. The total increase to this year's budget line item would be \$36,000.00. This money would need to come from other City Council budget line items, such as from 100-620-5306-00 Travel and Training, or 100-620-5307-00 Subscriptions and Dues, 100-620-5502-00 Special Events, or 100-620-5501-00 Council Contingency.

So, next year's (2008-2009) budget would increase by \$9,600 for the base salaries and \$78,600 for the stipend.

ATTACHMENTS:

none

Submitted by:

Henry Carr Henry Carr, Chair of the Council Compensation Committee
Sandra N. Lee Sandra Lee, City Secretary

EXHIBIT "B"

COMMITTEE REPORT

**A Report to Georgetown City Council
By the
Council Compensation Committee**

The Council Compensation Committee was charged as per the City Charter with reviewing "the salaries of the Mayor and Council members, and making recommendations regarding those salaries" (Sec. 2.15 Home Rule Charter). The committee believes that appropriate compensation is an important aspect of council service. However, we are also unanimous in our belief that council service should be driven by a sense of public service, not an expectation that full compensation for either time or trouble can or should be expected.

In making our recommendations, we have reviewed the current compensation system, looked at the history of Council compensation in Georgetown, and examined comparative compensation data from other cities in the area. We have also asked the city attorney, the tax accountant for city's accounting firm, and the city manager to review our proposals from a legal, finance, and operational (respectively) point of view.

In order to avoid some of the ambiguity that we found in the current compensation plan, we will use some key terminology as defined below.

- A) "Compensation" designates any payment to a council member by the city. This is a broad term that encompasses both salary and expenses.
- B) "Salary" is the term used for payment for services rendered.
- C) "Supplemental compensation" refers to payments by the city to council members for lost income and/or documented expenses.
- D) "Lost income" refers to wages, salary, billable hours or business income that a person does not received because of time spent during normal working hours on city business.
- E) "Wages" refers to hourly pay, salary, billable hours or income from a business that is one's primary livelihood.
- F) "Expenses" refers to documented out of pocket payments for activities connected with service on the Council.

Our review of the recommendations – and the Council's action – from 2008 did not question the total maximum amounts that were recommended: \$300 as a base salary for all council members (\$450 for the Mayor), and an additional, optional \$800. Our first recommendation will be that the \$300/\$450 monthly salaries be continued, and that an optional supplemental compensation in an amount up to \$800 be continued. The former should be clearly identified as a salary for services performed and be paid automatically to all members of council and the mayor.

This salary payment conforms to previous payment programs for Council. The committee finds that the other portion of current council compensation, \$800/month, is not clearly defined in the previous recommendations. We believe its use should be

clarified and modified. We are in no way questioning the honesty or integrity of the process as it has been applied the past two years. Our point is that the current system can lead to differing plausible interpretations. In going forward a clearer understanding of this supplemental compensation payment is needed so that everyone is operating in the same manner. We believe this will maintain equity in reporting within the city's operations and help provide the citizens with the transparency they deserve.

There is a persistent ambiguity embedded in the description of this supplemental compensation. The broad justification for this payment centers on the importance of opening service on council to a broader spectrum of citizens. The payment was described in 2008 as a "personal expense compensation" to "partially offset the economic loss they incur." But is this because of lost income, payment for out of pocket expenses, or a little of both? A second issue the committee felt it needed to address was the lack of transparency involved in these \$800 payments. No reporting or documentation is required for these payments, yet these payments are meant to be in response to specific economic losses that result from service on Council. We believe that the citizens have a right to know what specific kinds of economic losses are being supported by city tax dollars and how those losses are calculated. We also affirm the importance of council members following the same rules as other city employees when it comes to reimbursement for expenses.

An alternative to having differing interpretations of the 2008 recommendations, and as a way to deal with the issue, the committee considered simply eliminating the supplemental compensation payment. However, we decided against this approach because of the 2008 committee's overarching rationale for providing this option – that it encourages broader participation in council service because it eliminates, or at least partially mitigates, the loss of income that may deter some citizens from considering service. The 2008 recommendations stated "The City Council should strive to have members representing the full spectrum of citizens of Georgetown, and candidates for these offices should not be unduly inhibited from serving by the expenses of the office or by the financial sacrifices they make while performing city duties." Our recommendations are designed to maintain this important objective.

We also considered whether or not the supplemental compensation could simply be folded into the \$300/\$450 salary. That would eliminate paperwork and be straightforward. We cannot recommend this approach because it does not address the goal of increasing participation, and it ignores the question of accountability and the need for transparency. In addition it would place Georgetown's salaries for council service well beyond the range of similar cities.

The following recommendations are designed to establish a system for council compensation, which clearly identifies two different types of compensation available to council members and the mayor and differentiates between how they should be treated.

As mentioned above, our first recommendation is that the \$300 a month payment to council members (\$450 to the mayor) be continued, and that it be clearly identified as a

salary for services rendered. Until 2008, this payment was consistently identified as "salary" or "compensation." These terms are reasonably clear. However, "base operational expense" is not clear. We recommend that the \$300/\$450 payment be clearly identified as salary for services rendered. If a council member wishes to pay some out of pocket expenses out of his/her salary, he or she is free to do so. That decision is strictly between that person and the IRS. Council should not cloud the matter by inferring that this payment is somehow for unspecified expenses. It is simply a salary for serving.

Second, we recommend that the \$800 monthly supplemental compensation remain as an optional payment, but that \$800 be a cap on monthly payments not an automatic amount. We have already alluded to the fact that the committee is pleased with and supports the effort in the 2008 committee's report to provide a financial basis that encourages council membership for the full spectrum of our citizens. This payment recognizes that some individuals may be reluctant to run for a council seat because they would lose wages when called on to carry out council business during their normal working hours. However, the committee finds that the phrase used to describe this possibility, "economic loss," does not make this apparent.

Hence, our third recommendation is that council members may be compensated up to an additional \$800 a month for two distinct forms of financial loss: loss of income because of engagement in city business during normal working hours; and out of pocket expenses incurred as a result of carrying out one's responsibility as an elected official. Adopting this recommendation will affirm the appropriateness of opening potential council service to a larger group of our citizens, commit to transparency for the voters in this area of council policy decision making, make the payment of expenses accountable, and affirm that council follows the same reporting and documentation rules as other city employees.

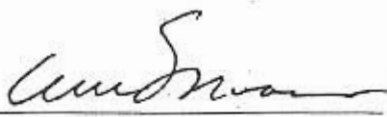
We did consider restricting this supplemental compensation only to pay for lost income. That could have been the intent in the 2008 recommendation, but we are not sure. We decided not to restrict the use in this way, however, and to include reimbursement for out of pocket expenses as part of supplemental compensation. We believe that a council member who does incur expenses in the process of serving on council should be able to be at least partially reimbursed for those expenses without adverse tax consequences. IRS regulations allow deductions for business expenses only to the extent to which those expenses exceed 2% of one's adjusted gross income.

Fourth, since the supplemental compensation is a variable amount depending on expenses and time spent on city affairs, requests for reimbursement are to be made on a monthly basis. For expenses the documentation requirements will be the same as for other city employees. Since a council member and the mayor are ultimately responsible to the citizens, his/her signature on an appropriately documented expense reimbursement request is sufficient authorization for payment. Compensation for lost wages will be based on a simple, signed written request identifying the number of workday hours spent on city business and the reimbursement rate appropriate for the requestor. This reimbursement along with the base salary is subject to federal income tax.

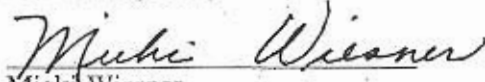
Fifth and finally we have heard, although in an informal way, that there may be council members who are interested in shielding some of their compensation from federal income tax by utilizing various city benefit programs. The committee has no objections to exploring this alternative in the future but does not recommend such action at this time. Any such future study, however, should start with the recognition that a council member's participation in any benefit program should not increase direct costs to the city.

Even without council benefits becoming an added cost to the city, however, benefit extension is a complex issue. It should be deferred until an adequate study can be done of comparable policies in other similar cities and until the city's (and the nation's) economic climate is more fully recovered. It also would require a careful educational program for the city's citizens because it would be natural for a benefits extension to be viewed as the extension of an entitlement that could be regarded with suspicion by some voters.

Respectfully submitted,


Will Moore


Ben Oliver, Chair


Micki Wiesner

April 5, 2010

considered taxable income, and the council member shall be responsible for keeping the backup documentation.

- (B) In the event the Council member has reimbursable receipts, for items such as phone expenses or meal expense, as well as, for documented mileage per IRS guidelines, those expenses will be reimbursed by the City as non-taxable expense reimbursement to the Council member and will not be included in the reimbursement in Section (A). The City will retain copies of all non-taxable expense reimbursements and the supporting documentation.
- (C) The total amount of monthly reimbursement from items (A) and (B) cannot exceed \$800 per month.
- (D) In addition to those sums, the City will also pay the actual expenses for Council members to attend training sessions, conferences or seminars sponsored or affiliated with the Texas Municipal League, as well as other opportunities that are directly approved by the City Council. Reimbursements will be made in accordance with the City's Travel Policy.

SAMPLE FORM

EXHIBIT "D"

CITY COUNCIL MEMBER STATEMENT OF EXPENSES OR LOST INCOME

For the month of _____, 20____, I hereby certify that I have the following expenses or lost income;

I. EXPENSES:

(a) Phone Expense: \$ _____ **

(b) _____ miles at I.R.S. rate: \$ _____ **

(c) Home office expense for area set aside for City business. \$ _____

(d) Other expenses: \$ _____ **

Please itemize: _____

***These items can be reimbursed non-taxable per IRS guidelines when detail receipts are provided to the City.*

II. LOST INCOME:

(e) Lost income: \$ _____
(Hourly rate _____ X Hours spent _____)

TOTAL REIMBURSEMENT \$ _____

In no case can the amount of reimbursement exceed \$800 per month.

Signed on the _____ day of _____, 20____.