

ORDINANCE NO. 10402 (N.S.)  
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE  
OF ADMINISTRATIVE ORDINANCES ARTICLE XXVIa  
RELATING TO OUT-OF-COUNTY/IN-COUNTY BUSINESS

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 470 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

**SEC. 470. AUTHORITY TO CONDUCT OFFICIAL BUSINESS OUTSIDE THE GEOGRAPHIC BOUNDARIES OF SAN DIEGO COUNTY (OUT-OF-COUNTY BUSINESS) AND WITHIN SAN DIEGO COUNTY (IN-COUNTY BUSINESS).**

(a) Except as otherwise provided, the Board of Supervisors (Board) delegates the authority for approving specific travel requests within San Diego County (in-County business) and outside the geographical boundaries of San Diego County (out-of-County business) to the Chief Administrative Officer and individual elected officials.

(b) For purposes of this section, the Chief Administrative Officer includes the following authorized representatives: Assistant Chief Administrative Officer/Chief Operating Officer (ACAO/COO), Deputy Chief Administrative Officer/Auditor & Controller (DCAO), Deputy Chief Administrative Officers, the Director, Health and Human Services (Agency Director) and Department Heads. Department Heads may delegate in County and out-of-County business signatory authority to Executive Management (EM or UM) level staff within their Department or Agency.

(c) The Chief Administrative Officer, or authorized designee, may approve in-County and out-of-County travel requests and expense claims. However, personal travel requests and expense claims of authorized representatives (ACAO/COO, DCAO, or Agency Director (HSA)) require approval of the Chief Administrative Officer.

(d) In extraordinary circumstances, travel outside of the United States that requires prior Board approval as defined in this section, may be taken prior to receiving approval of the Board of Supervisors. Such out-of-County business must be presented for Board ratification at the next appropriate meeting.

These administrative procedures apply only to discretionary County business travel. They do not apply to "operational travel" that occurs in the course of carrying out the functions of a department in a business as usual situation. Examples include travel by Sheriff's deputies, County attorneys, public defenders, and deputy district attorneys or their investigators in connection with a pending case, or prisoner or witness transportation. "Operational travel" is subject to GSA per diem rates.

(e) Out-of-County business must be authorized as described above in order to qualify for reimbursement of related actual and necessary expenses. Prior to being taken, any request for out-of-County business activity must be submitted to the Chief Administrative Officer, or authorized designee, for approval on a form prescribed by the Deputy Chief Administrative Officer/Auditor & Controller. Upon return, a claim containing actual and necessary expenditures will be submitted to the Chief Administrative Officer, or authorized designee, for approval prior to processing by the Deputy Chief Administrative Officer/Auditor & Controller, provided, however, that elected County officials may approve claims relating to their own approved out-of-County business.

(f) The Chief Administrative Officer, or authorized designee, may approve the following:

- Out-of-County business requests.
- Resultant claims.
- County business advances per Section 473.1.
- Unusual actual County business expenses per Section 472.1.
- Mode of transportation, including most appropriate available public carrier, per Section 474.
- Authorized County activities per Section 471.

(g) County business that is required by Federal or State law or court order shall be subject to the provisions of this Article unless otherwise specified.

(h) County officers and employees in the performance of official duties may conduct out-of-County business without specific authorization outside of the County of San Diego and into the Counties of Orange, Riverside, or Imperial. Specific approval must be obtained from the Board for travel to destinations outside of the United States. Business travel to Mexico and Canada is exempt from this restriction and should be budgeted.

(i) When on official County business, employees will not conduct County business at the expense of persons doing or seeking to do business with the County, without prior approval of the Chief Administrative Officer, or authorized designee.

(j) All payments made by the County pursuant to this Article shall be subject to applicable IRS rules and guidelines.

Section 2. Section 472 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

**SEC. 472. NORMAL MAXIMUM REIMBURSABLE RATES AND AMOUNTS.**

Pursuant to Sections 913 and 913.1 of the County Charter, the normal maximum rates and amounts to be paid as reimbursement for actual and necessary expenditures related to authorized County business are established in this Section and Section 472.1. The Deputy Chief

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Administrative Officer/Auditor & Controller shall periodically review these reimbursable rates and amounts and, as necessary, prepare adjustments for the Board's approval.

### Transportation

The amount of reimbursement shall equal the actual cost of carrier services, including taxi-cabs, shuttles, vehicle rental and storage of vehicle.

For transportation by privately owned aircraft, the amount of reimbursement shall equal the equivalent fare for the appropriate available out-of-County public carrier as determined by the Deputy Chief Administrative Officer/Auditor & Controller. For transportation by privately owned vehicle, the reimbursable amount shall be equivalent to the fare of the most appropriate available public carrier as determined by the Deputy Chief Administrative Officer/Auditor & Controller, or the calculated actual mileage reimbursement, whichever is less. Mileage shall be reimbursed using the IRS mileage rate in effect at the County at the time of travel. In the event the IRS increases or decreases the reimbursement rate for mileage, the County will adjust its rate of reimbursement to equal the IRS rate within sixty (60) days of the effective date of the IRS increase.

When out-of-County travel is authorized using a privately owned vehicle or aircraft, the cost of the actual and necessary transportation, including parking fees at the destination shall also be eligible for reimbursement. The number of meals, nights of lodging, and days in a duty out-of-County business status shall be limited to the number which would have been required if transportation were furnished by the most appropriate available public carrier.

### Lodging

The cost of lodging is limited to the amount arranged through the approved County travel agent. If booked outside the County travel agent, reimbursement shall be limited to the lesser of the published GSA per diem rate for the time and location of travel (GSA rates can be accessed via the Auditor and Controller's website) or the actual cost incurred. For locations not specifically listed in the schedule of GSA schedule, the per diem rate for the closest location to the vicinity of travel, as determined by the Deputy Chief Administrative Officer/Auditor & Controller shall be used as the basis for reimbursement. Actual room tax may be reimbursed even if it is computed on room costs which exceed the stated rate.

Reimbursement for lodging involving the use of field camping equipment, including tents, campers, trailers, mobile homes, and similar portable or vehicular lodging equipment provided by the person in the service of the County shall be based upon the type of equipment used and the nature of the out-of-County business. Such reimbursement shall not exceed either: the amount arranged through the approved County travel agent; the relevant GSA per diem rate as determined by the Deputy Chief Administrative Officer/Auditor & Controller; a reasonable amount determined by the Chief Administrative Officer, or authorized designee; or a combination of any of the items listed above.

### Meals and Incidentals

GSA per diem rates based on the location of travel will be used for the reimbursement of meals and incidentals. These rates include any applicable tax and gratuity. Where the cost of a meal or meals is included as part of a registration charge or fee, there shall be no per diem meal

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reimbursement for the applicable meal period covered by such registration. Incidentals include fees and tips given to porters, baggage carriers, bellhops, and hotel staff.

Same Day Travel – meal reimbursements for same day travel (in- or out-of-County) will be subject to federal and state taxes and be reported as taxable wages on Form W-2 according to IRS guidelines. This also applies to operational travel and other same day meal reimbursements with the exception of meals meeting the IRS's definition of business entertainment or *de minimis* costs.

No reimbursement shall be made for alcoholic beverages of any kind.

No reimbursement shall be made for breakfast unless such out-of-County travel commences from office or place of residence by 7:00 a.m. or such travel is completed by return to office or place of residence at or after 8:00 a.m.; no reimbursement shall be made for lunch unless such travel commences at or before 11:30 a.m. or is completed at or after 1:00 p.m.; and no reimbursement shall be made for dinner unless such travel commences by, or is completed at or after, 7:00 p.m. GSA first and last day meals and incidentals reimbursement rates do not apply.

#### Telephone - Fax - Internet - Registration

The actual cost of business related telephone, fax, internet and registration charges or fees shall be reimbursed.

#### Rental of Work or Conference Facilities

A reasonable amount determined by the Chief Administrative Officer, or authorized designee, based upon the type of meeting, course, or session, and the number of participants shall be the basis for reimbursement.

#### Miscellaneous Expenses

Depending on the duration of the out-of-County business, miscellaneous items such as laundry and dry cleaning maybe reimbursed in an amount that is determined by the Chief Administrative Officer, or authorized designee, to be reasonable and necessary for the conduct of County business. In addition to any reimbursement for use of a privately owned vehicle, 40% of the effective IRS mileage rate or a reasonable amount determined by the Chief Administrative Officer, or authorized designee, shall be reimbursed for each mile an authorized privately or publicly owned trailer is towed on business for the County by that vehicle.

Section 3. Section 472.1 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

#### **SEC. 472.1. UNUSUAL ACTUAL EXPENSES.**

Actual incurred expenses in excess of those specified in Section 472 may be claimed and reimbursed for individual meals and lodging only under the following limited circumstances if satisfactory written justification for the necessity for incurring such expenses is submitted with the claim pursuant to Section 473. Meal reimbursements in excess of the current GSA per diem

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rate will be subject to federal and state taxes and reported as taxable income on Form W-2 according to IRS guidelines.

(a) Unusual costs may be reimbursed for meals taken at a banquet, breakfast, or luncheon organized by a non-County entity where the established price of the meal usually includes facility, speaker, or other costs.

(b) Unusual costs may be reimbursed for accommodations at or near the location of the meeting or conference site involved to minimize added ground transportation expenses and facilitate the purpose for which County business has been authorized, provided that other reasonable, less expensive accommodations are not readily available. There will be no unusual cost reimbursement for lodging within the County, or for Retreats located in or outside the County organized solely for the benefit of County Employees and Officials.

The Chief Administrative Officer may approve, or may delegate to the Assistant Chief Administrative Officer/Chief Operating Officer authority to approve specific exceptions to these restrictions for unique circumstances upon presentation of satisfactory justification.

Section 4. Section 484 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

**SEC. 484. TRAVEL TO AND FROM MEETINGS.**

In addition to reimbursement for allowable actual and necessary expenses as provided for in this Article, members of designated boards, committees and commissions of the County of San Diego shall be paid reasonable travel expenses for actual travel to and from their usual place of business to any place of meeting of said board, committee or commission of which they are a member within the county at the mileage rate established in Section 472. The Board of Supervisors shall by resolution designate the specific boards, committees and commissions entitled to reimbursement pursuant to this provision. All claims authorized under this section shall be prepared and submitted monthly to the appropriate County department payroll clerk on the proper Auditor and Controller claim form and shall contain:

- (1) Reference to this section; and
- (2) Dates, hours, location and description of the activity involved, including transportation distance.

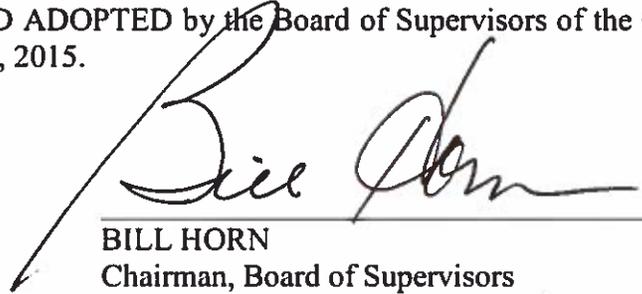
Section 5. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

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APPROVED AS TO FORM AND LEGALITY  
THOMAS E. MONTGOMERY, COUNTY COUNSEL

BY: Rachel H. Witt, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 15<sup>th</sup> day of December, 2015.

  
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BILL HORN  
Chairman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 15<sup>th</sup> day of December, 2015.

DAVID HALL  
Clerk of the Board of Supervisors

By Diana Lopez  
Diana Lopez, Deputy



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