

ORDINANCE NO. 1359-15

AN ORDINANCE AMENDING CHAPTER 2 ARTICLE X OF THE CODE OF ORDINANCES OF THE CITY OF LAKE ALFRED, FLORIDA, BY REVISING THE CITY OF LAKE ALFRED TRAVEL AND PER DIEM POLICY; PROVIDING FOR SEVERABILITY AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS ; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Lake Alfred adopted Resolution No. 03-92 in 1992 which established a Travel and Per Diem Policy for reimbursement of travel expenses for elected officials, employees and board members of the City of Lake Alfred; and

WHEREAS, the City Commission of the City of Lake Alfred adopted Ordinance No. 1183-07 in February, 2007 amending and codifying the Travel and Per Diem Policy for reimbursement of travel expenses for elected officials, employees and board members of the City of Lake Alfred; and

WHEREAS, the City Commission of the City of Lake Alfred adopted Ordinance No. 1225-08 in May, 2008 further amending the City of Lake Alfred Travel and Per Diem Policy;

WHEREAS, in accordance with Section 166.021(9)(b) of the Florida Statutes the City Commission of the City of Lake Alfred desires to further amend said Travel and Per Diem policy which shall supersede any conflicting provisions within Section 112.061, Florida Statutes (2014); and

WHEREAS, the City of Lake Alfred desires to streamline the Travel and Per Diem policy and provide a Per Diem Allowance based upon the Federal Government's General Services Administration's Meal & Incidental Expenses (M&IE) breakdown.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Lake Alfred, Florida:

SECTION 1: CODE OF ORDINANCES That Chapter 2 of the Code of Ordinances of the City of Lake Alfred, Florida shall be amended by adding the following section to read as follows (provisions being deleted are shown as ~~strike through~~ and provisions being added are shown as underlined):

ARTICLE X. TRAVEL AND PER DIEM POLICY

Section 2-380. Travel Expenses for Elected Officials, Employees and Board Members.

(a) Definitions

- 1) Local Travel: Travel that is within Polk County and which occurs during a single work day.
- 2) Remote Travel: Travel which is outside Polk County.

- 3) Emergency Travel: Travel which results from an emergency declared by the City Manager or the City Commission.
 - 4) Travel Status: The status of one who is authorized by the City to attend a meeting, conference, seminar, convention or conducting business for the benefit of the City and at the City's expense. Departure and arrival can be from or to whatever location is convenient to the City as long as the location does not present an unfair burden to the employee.
 - a) Airline: Travel status begins two hours before an airline's departure to two hours after an airline's return arrival at a local airport.
 - b) Automotive: Travel status begins when the employee departs for the destination and ends upon an employee's return from the location.
- (b) Limitations and Restrictions: Payment made under this policy are subject to the following:
- 1) Airfare: Excludes the cost of first-class airfare. Reservations should be made as far in advance as possible to allow for the lowest possible fare. Quotes for fares must be made from at least two airlines.
 - a) Even when there are cancellations penalties, the use of the lowest air fares is recommended and when the traveler is reasonably sure of being able to make the trip and scheduling allows such a reservation.
 - b) If a reservation is made which has a cancellation penalty and the traveler cannot make the trip due to serious personal or work related problems, the traveler must document these problems in writing. Under these circumstances the City will be responsible for the penalty.
 - 2) Rental Cars.
 - a) Automobiles may be rented for remote or emergency travel if the location of the meeting, seminar, conference, or convention is different from that of the lodging accommodations and the rental of the automobile is less expensive than other forms of transportation to and from the lodging or meeting.
 - b) Rental car insurance is a reimbursable expense.
 - 3) Reimbursement for use of Personal Vehicle: Whenever possible a city vehicle should be used for Local Travel. When the logistics are such that the cost and time require the employee to use a personal vehicle on City business, the City shall reimburse for mileage costs at the current IRS rate in effect as of the date of travel. Payments to employees who use their personal vehicle for Local Travel will be made in accordance with Federal Internal Revenue Service Guidelines and will be subject to the insurance requirements of Paragraph (p) of this Section.
 1. No more than one (1) payment per private vehicle is authorized, regardless of the number of passengers.

2. Reimbursement may not exceed the most cost efficient round trip airfare to the destination.
 3. Additional reimbursement for expenditures other than tolls and parking, related to the operation, maintenance and ownership of a vehicle shall not be allowed when privately owned vehicles are used on public business.
 4. Direct mileage from the City and to and from the destination will be the mileage as shown on the official Florida road map or computer program as designated by the City Manager or her/his designee. Reasonable local mileage will be allowed for the use of personal vehicles.
- 4) Use of City Vehicles.
1. With proper receipts, a reimbursement for gasoline will be made for use of City Vehicle.
 2. City owned vehicles shall not be used for trips out of state unless prior approval is granted from the City Manager or her/his designee, for such use.
 3. If a City vehicle is used, the car or truck number must be shown on the expense report.
- 5) Taxis, parking and tolls: Payment will be allowed for taxis, parking and tolls provided that the costs are documented and reasonable.
- 6) Conference and Seminar Registration Fees: Payment shall be made directly to the vendor. Employees are encouraged to take advantage of the lower advanced registration fees whenever possible.
- 7) Lodging shall be ~~regulated pursuant to Chapter 112.061, Florida Statutes~~ provided to travelers for each night of lodging required for travel and training, providing however, the City shall not pay for overnight accommodations in Polk, Osceola, Lake and Hillsborough counties unless prior written approval is given by the City Manager or her/his designee.

Meals Reimbursement:

- ~~i. Travelers will be allowed reimbursement of actual expenses up to the following limits:~~
 - ~~1. Full Day - \$55.00~~
 - ~~2. Partial Day -~~
 - ~~Breakfast \$10.00~~
 - ~~Lunch \$15.00~~
 - ~~Dinner \$30.00~~
- ~~ii. This reimbursement will be reduced proportionately for partial days as indicated above or meals provided through registration. The per diem is inclusive of all meals, beverages (excluding alcoholic beverages), local taxes, and tips. Meals offered at additional cost as part of a seminar or conference to all attendees at seminars and conference, particularly when a speaker or program business is presented, are fully reimbursable for travelers.~~
- ~~iii.~~

- ~~1. In order to claim breakfast, travel must begin before 8:00 a.m.~~
 - ~~2. In order to claim lunch, travel must begin before 12:00 noon and extend beyond 2:00 p.m.~~
 - ~~3. In order to claim dinner, travel must begin before 6:00 p.m. and extend beyond 8:00 p.m.~~
 - ~~4. Receipts will be required for all meals.~~
- 8) Per Diem Allowance: In lieu of reimbursement for meals and incidental expenses and providing receipts travelers will be provided with an allowance for each "Full Day" of travel based upon the Meals and Incidental Expenses (M&IE) breakdown published by the Federal Government's General Services Administration (GSA) each year. An allowance equal to sixty (60%) of the foregoing rate will be provided for each "Partial Day" of travel. In recognition of the increased cost of meals and incidental expenses at typical travel and training locations the allowance shall be equal to the highest tiered rate from the M&IE breakdown (e.g. tier six). A "Prorated Full Day" allowance may be provided for full travel days that deduct amounts for meals that are paid in advance through conference or training registration in accordance with the M&IE breakdown. For the purposes of this section a "partial day" shall be defined as travel that begins after 10:00 am or that concludes prior to 3:00 pm. The foregoing per diem allowance may be received in advance and based upon the anticipated duration of the travel.
- ~~8)9) Monthly Ridge League of Cities meetings and Chamber of Commerce events are deemed to be in the performance of the duties of the elected and appointed city officials, the expense of which shall be incurred by the City. reimbursement for the specific meeting may be made up to the amount of the meal for the elected official or appointed city official.~~
- 9) ~~Miscellaneous Expenses: The City will pay a daily allowance of actual costs up to \$5.00 per day, for the total days or partial days spent in travel status. This standard daily allowance will cover non-meal tips, personal phone calls and other incidental expenses. Written document is required but receipts are not required.~~
- 10) Telephone calls: Business telephone calls, fax charges and internet connection charges will be reimbursed with receipts and proper documentation. Such documentation must be submitted with the Expense Report within the time limits specified. If the hotel adds a service charge for each telephone call, even when those calls are made on a credit card or "800" or "888" number, the City will reimburse the traveler for the service charge(s) related to business calls only.
- 11) Grants: When traveling expenses are incurred which are eligible for reimbursement under federal and state grant agreements, these regulations will apply except when federal and state grant guidelines are more restrictive. If an elected or appointed official anticipates travel expenses in excess of what can be reimbursed to the City by federal or state agency, the Finance Director shall be notified prior to the trip if additional reimbursement will be requested.

12) Travel Advancements: Costs of lodging, registration, and airfare should be prepaid directly to the vendor by the City whenever possible and upon return the traveler must provide receipts. Travelers should provide a copy of the City's tax exempt certificate when lodging within the State of Florida. An advance check may be made payable to travelers for the estimated meal allowance and estimated travel expenses upon the approval of the City Manager or her/his designee on the "Travel Expense Report". After the trip, any amount due the City or the traveler which is equal to or less than \$1.00 will not be processed.

~~13) Other Requirements: Prior authorization does not entitle the traveler to spend up to the authorized amount. Such authorization only identifies the limitation should such expenses become necessary. No traveler shall be allowed either mileage or transportation expense when she/he is gratuitously transported by another person, or when she/he is transported by another traveler who is reimbursed for mileage or transportation expenses.~~

~~14)~~13) Approval for "Travel Expense Report" Form: The traveler must submit the "Travel Expense Report" in the format established by the Finance Director. All travel and transportation costs of attending meetings, seminars, conferences, and conventions, as well as the cost of registration, must be documented on the "Travel Expense Report". A copy of available brochures and literature showing lodging and registration rates, and prepaid meals, if any, must be attached to the form. Airfare must have two quotes attached.

- i. Time Limitations: Extended travel may be requested by the traveler or may be dictated by significantly lower air fares.
- ii. The City does encourage travelers to travel on weekends when it will result in a significantly lower net cost of travel.
- iii. If requested by the traveler, extended travel may be allowed at the beginning or the end of the trip in order to provide savings.
- iv. Extended travel will not occur during the traveler's normal working hours. The traveler will be reimbursed for expenses during extended travel time as long as the total net cost resulted in savings to the City.
- v. In the event the employee desires to extend the period for personal reasons, the extra time shall be charged to vacation or leave without pay. This shall be subject to approval by the Department Director and specifically require the City Manager's approval.

~~15)~~14) Fiscal Year Overlap: Travel which occurs in the next fiscal year will be approved out of the current year's fund only if the travel occurs within the first thirty (30) days of the next fiscal year, and the required prior payment is processed in September of the current fiscal year in accordance with the fiscal year end closing procedures.

i. Reporting and documentation:

1. Reporting: Following the trip, the "Travel Expense Report" and/or requisition form must be submitted for approval to the Department Director within five (5)

working days after the employee returns to work. The Finance Department must receive the "Travel Expense Report" and/or requisition form with all receipts attached, within ten (10) working days after the employee returns to work.

2. Documentation: Original receipts for the hotel bill, car rental, and the used airline ticket stub must accompany the "Travel Expense Report" for and/or requisition and all other receipts submitted to the Finance Department. Receipts will be required for all meals. Gratuities are included in the upper limit in the meal allowance.
3. Receipts shall be submitted in a neat and orderly fashion in order to facilitate the audit process.

~~16~~15) Implementation: The City Manager is authorized to implement procedural regulations for business travel covered in this Ordinance.

~~17~~16) Exceptions: If warranted by unusual circumstances or conditions, exceptions to the foregoing standards and rules may be allowed but only upon the approval of the City Manager.

~~18~~17) Family: No reimbursement for expenses of spouses, children, or other is permitted unless specifically provided elsewhere in this ordinance.

~~19~~18) Conduct of Travelers: The conduct of City officers and employees attending conferences, training programs, or conducting official business out of town is a reflection of the standards of City government at Lake Alfred. The fact the City is bearing the major portion of the expense is recognition of the principle that the benefits accrue to the City as well as the individual. Travelers will therefore obtain a maximum amount of beneficial training and information of value for the purpose of improving local administration and services.

~~20~~19) Authorization to use private vehicles for Travel: Requests for use of privately owned vehicles outside Polk County on City Business will be denied if the driver of the vehicle and the vehicle itself are not insured for the following basic limits:

- i. At least a combined limit of \$50,000 per occurrence for bodily injury and property damage liability, and
- ii. Personal Injury Protection (PIP) as required by State Law.
- iii. Employees applying for mileage reimbursement shall certify that they have motor vehicle insurance as required by this ordinance.

~~21~~20) Use of personal credit cards: Employees are permitted to use personal credit cards for travel expenses. However, no reimbursement for charges will be made until after the trip is finalized. The City will not reimburse the employee for annual credit card dues or fees and will not reimburse for interest expense incurred.

SECTION 2: CONFLICTS. All ordinances or parts of ordinances and resolutions in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

SECTION 3: SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4: CODIFICATION. This Ordinance shall be codified and made a part of the Code of Ordinances of the City of Lake Alfred. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Lake Alfred Code of Ordinances; and that sections of this ordinance may be renumbered or re-lettered and the word *ordinance* may be changed to *section*, *article*, or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager or his/her designee without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5: EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage on second reading.

INTRODUCED AND PASSED on first reading at the regular meeting of the Lake Alfred City Commission held on the 19th day of October, 2015.

PASSED AND ENACTED ON SECOND READING, with a quorum present and voting, the City Commission of Lake Alfred, Florida, this 2nd day of November, 2015.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

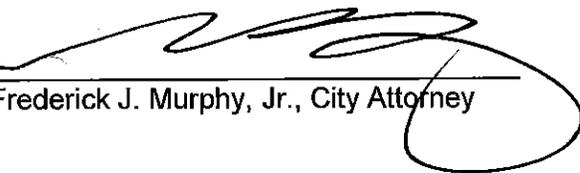


Charles O. Lake, Mayor

ATTEST:


Amee Bailey-Speck, City Clerk

APPROVED AS TO FORM:


Frederick J. Murphy, Jr., City Attorney