

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING CHAPTER 31, "CITY OFFICIALS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 31.01, "TRAVEL AND SUBSISTENCE ALLOWANCES," TO MODIFY THE PROCEDURES FOR PAYMENT OF AUTHORIZED TRAVEL EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 31.01, "Travel and Subsistence Allowances," of Chapter 31, "City Officials," is hereby amended to read as follows:

§ 31.01 TRAVEL AND SUBSISTENCE ALLOWANCES POLICY.

(A) Authority to incur travel expenses.

(1) City officials and employees may be reimbursed for travel expenses incurred in the performance of their duties.

(B) Registration fees.

(1) ~~Convention and conference~~ Event registration fees may be paid by the city or reimbursed to the traveler, provided attendance at the ~~convention or conference event~~ event serves a direct city purpose. ~~However, any meals or lodging included in a convention or conference registration fee will be deducted.~~ A copy

of the program or agenda of ~~any convention or conference~~ the event attended, showing itemized registration fees and any ~~meals or~~ lodging included in the registration fee, should be attached to and filed with the ~~travel expense certificate~~ Final Travel Form.

(C) Lodging.

(1) Overnight lodging expenses may be allowed for actual expenses for lodging at a single occupancy rate, substantiated by receipts.

(D) ~~Common carrier/travel agency~~ Transportation.

(1) Transportation by city vehicle, common carrier or personal vehicle, will be allowed ~~paid to the employee or travel agent~~. Method of transportation will be in the best interest of the city and shall be substantiated by a receipt or mileage reimbursement calculation.

(2) The use of privately-owned vehicles for official travel, in lieu of city-owned vehicles or common carrier, may be authorized by the City Manager if a city-owned vehicle is not available. Whenever travel is by privately-owned vehicle, the traveler shall be reimbursed at the optional standard mileage rate allowed by the Internal Revenue Service for employees who operate a passenger automobile for business.

(3) No traveler shall be allowed mileage reimbursement when the traveler is gratuitously transported by another traveler who is entitled to mileage reimbursement.

(E) Meals.

(1) Travelers may be reimbursed ~~the actual cost of meals as determined by paid receipts not to exceed \$50.00 per day. Gratuities are reimbursable up to a maximum of 15% of the total meal charges~~ for meals and incidentals using the Domestic Maximum Per Diem Rates for the destination city as published by the U.S. General Services Administration.

(2) Any meals included in the registration fee will be deducted from the per diem for meals and incidentals. A copy of the program or agenda of the event attended, showing itemized registration fees and any meals included in the registration fee, should be attached to and filed with the Final Travel Form.

(23) The City Manager may allow additional meal costs for exceptional needs or requirements based upon travel destination and special circumstances.

(4) Local Area meal expenses may be claimed if incurred for the purpose of advancing a city business relationship, are within the bounds of good taste, moderation and legal requirements, and are within reasonable limits, as approved by the City Manager, or designee. A claim for meals shall be based on actual costs of the meal plus gratuity.

(F) ~~Vehicles~~

(1) ~~The use of privately owned vehicles for official travel, in lieu of city owned vehicles or common carrier, may be authorized by the City Manager if a city owned vehicle is not available. Whenever travel is by privately owned vehicle, the traveler shall be reimbursed at the optional standard mileage rate allowed by the Internal Revenue Service for employees who operate a passenger automobile for business.~~

(2) ~~No traveler shall be allowed mileage reimbursement when the traveler is gratuitously transported by another traveler who is entitled to mileage reimbursement.~~

(GF) ~~Incidental~~ Miscellaneous expenses.

(1) Travelers may be reimbursed the actual cost for transportation expenses such as taxi, bus, tolls, limousine fares, ride-share and rental cars. Reimbursement for rental cars requires the prior approval of the City Manager except under special circumstances.

(HG) ~~Forms~~.

(1) The Finance Department shall furnish the Travel ~~Advance~~ Form which will be used by all travelers when requesting payment for anticipated travel expenses. The ~~Travel Expense Certificate~~ Final Travel Form shall be submitted to the Finance Department ~~ten days~~ after the traveler has ~~returned to work~~ completed the travel. The ~~certificate~~ Final Travel Form shall be accompanied with paid receipts for all applicable items and enclose any balance due. The form shall contain a statement that the expenses were actually incurred by the traveler as necessary travel expenses in the performance of official duties, and shall be verified by a written declaration that it is true and correct as to every material matter. These forms must be approved by the Director of Finance and at the discretion of the City Manager.

(IH) ~~Penalty~~.

(1) Any city official or employee who willfully makes and subscribes any claim that he or she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation of such a claim that is fraudulent or is false

as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, commits a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or § 775.083.

(2) Whoever receives an allowance or reimbursement by means of a false claim is civilly liable in the amount of the overpayment for the reimbursement of the public fund from which the claim was paid.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2023.

PASSED SECOND READING this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

MEB/jrm
10/19/23
l:ord/ch31/2024-20