

RESOLUTION NO. R2015-20

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,
ESTABLISHING A COMPREHENSIVE POLICY
GOVERNING TRAVEL EXPENDITURES FOR THE
MAYOR AND CITY COUNCIL.**

WHEREAS, the North Miami Beach City Council wishes to review and revise the policies and procedures governing travel expenditures; and

WHEREAS, the City unanimously adopted a Strategic Plan that identified the City's Mission as providing "excellent municipal services in a financially responsible" manner; and

WHEREAS, at the request of the City Council, the City Attorney has reviewed the current travel expenditure policy for travel by Elected Officials and recommended that the City establish policies and procedures for allowable travel expenses that have been incurred for a legitimate identifiable public purpose, (see the *Memorandum on Elected Officials Allowable Travel Expenses* dated July 18, 2014, attached hereto as Exhibit "A" and incorporated herein by reference); and

WHEREAS, in 2008 the Miami-Dade County Commission on Ethics (COE) conducted an extensive audit of Miami-Dade County municipal travel expenditure reimbursement policies; and

WHEREAS, the COE determined that since cities with minimal oversight and insufficient travel reimbursement policies create the "temptation to intentionally intermingle personal and city expenses" that "the mere perception of impropriety shakes the public's trust and confidence in its elected officials"; and

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WHEREAS, the COE strongly encouraged municipalities to create policies and procedures to guide elected officials and help avoid pitfalls as well as the “inherent danger of commingling personal and city business expenses”; and

WHEREAS, the City Council, in recognition of the potential for misuse of public funds desires to create a policy that complies with the recommendations made by the City Attorney addressing concerns raised by the COE; and

WHEREAS, the travel expenditure policy provided for herein implements those recommendations in the attached *Memorandum on Elected Officials Allowable Travel Expenses*; and

WHEREAS, the travel expenditure policy sets forth guidelines for expenses incurred as a result of a legitimate government business expense serving a public purpose, outlines expenses that would not be eligible, and provides for transparency by requiring signed acknowledgments pursuant to state law, receipts substantiating expenses; and

WHEREAS, the City Council recognizes the important public benefits that can be served by travel to and from approved events by the elected officials; and

WHEREAS, the Mayor and City Council hereby establish the following Comprehensive Policy Governing Travel Expenditures.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Miami Beach.

Section 1. The aforementioned recitals are true and correct.

Section 2. APPLICABILITY OF POLICY.

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In order to establish a fair and transparent process for travel expenditures paid for with City funds the City of North Miami Beach hereby establishes this Comprehensive Policy Governing Travel Expenditures for Mayor and Council. This policy shall apply to any travel expense incurred by the City's elected officials and paid for with City funds that is in excess of \$100.

Section 3. PUBLIC PURPOSE.

The reimbursement and/or expenditure by the City of North Miami Beach for any travel-related expenses incurred by the City's Elected Officials shall be for reasonable and necessary expenses incurred while engaged in activities or travel which serves a public purpose which benefits the City of North Miami Beach residents and property owners.

Section 4. COMPREHENSIVE POLICY GOVERNING TRAVEL EXPENDITURES FOR MAYOR AND COUNCIL.

Travel expenses, paid for with City funds, shall only be eligible for reimbursement/expenditure when there is a valid, identifiable public purpose, as provided for in Section 3. *Public Purpose.*

- Eligible travel expenses shall be reasonable and necessary expenses incurred while performing official duties or engaged in valid public purposes that directly benefit residents and property owners of North Miami Beach.
- Eligible events for travel expenditure/reimbursements shall include attendance while performing official duties that directly benefit residents and property owners at the following events, or similar events, including but not limited to:

- Dade Days;

- Chamber of Commerce Conventions;
 - Florida League of Cities Conferences and Meetings;
 - Miami-Dade County League of Cities Conferences, Workshops and Meetings;
 - Public employees Pension seminars and conferences;
 - Committee on the Status of Women meetings; and
 - Legislative lobbying meetings.
 - Ethics education and training to comply with State and County regulations
- Ineligible travel expenses shall be expenses:
 - without an identifiable public purpose as provided for herein; or
 - in excess of \$25.00 not accompanied by receipts substantiating each expenditure; or
 - Submitted without a signed travel reimbursement/expenditure request in a form to be provided by the City Manager in consultation with the City Attorney and an acknowledgement as required by Florida Statute 166.021(9)(c).
 - The City Council may designate through the budget process or otherwise by Resolution from time to time approved events which serve a public purpose.
 - Councilmember's may attend and be reimbursed other events using City funds where such events serve a public purpose as determined by the City Attorney and/or the Miami-Dade Commission on Ethics and Public Trust.

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- Any travel not considered to serve a public purpose by either the City Attorney, Commission on Ethics or as determined by the City Council shall not be reimbursed.
- The City Manager or his/her designee shall ensure that travel related funds are available for travel expenditures/reimbursement submitted in accordance with this policy.
- All meals and nonalcoholic beverages consumed during dates of travel will be reimbursed at the per diem rate provided by 41 CFR 301-11.6 as may be amended (the 'Federal Per Diem Rate') as published at <http://www.gsa.gov/portal/category/21287> by the U.S. General Services Administration for domestic travel or as published by the U.S. Department of State at http://aoprals.state.gov/web920/per_diem.asp for foreign travel.
Per Diem reimbursement is subject to the following:
 - On travel dates, per diem will be paid at 50% of the daily rate;
 - Per diem allowances shall be reduced for meals included with the registration of organized events, i.e. conferences, seminars, meetings, etc; and
 - Receipts are not required to substantiate meal allowances, and meals purchased in excess of the allowance will be reimbursed only at the per diem rate.
- Travel expenses that are paid with City funds will be posted on the City's website.

Section 5. EXCLUSIVITY.

The matters set forth in this Resolution shall serve as the City's Comprehensive Policy Governing Travel Expenditures for Mayor and Council, and shall be posted prominently on the City's website.

APPROVED AND ADOPTED by the City of North Miami Beach City Council at the regular meeting assembled this day of _____, 2015.

ATTEST:

PAMELA L. LATIMORE
CITY CLERK
(CITY SEAL)

GEORGE VALLEJO
MAYOR

APPROVED AS TO FORM &
LANGUAGE & FOR EXECUTION

Sponsored by: Mayor & Council

JOSE SMITH
CITY ATTORNEY