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**ORDINANCE NO. 2014-01**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 2 "ADMINISTRATION", DIVISION 3 "REIMBURSEMENT FOR TRAVEL AND TRAINING" OF THE CODE OF ORDINANCES OF THE VILLAGE OF WELLINGTON; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida State Statutes provides that the governing body of each municipality has the power to enact legislation concerning any subject matter upon which the Legislature may act, and

**WHEREAS**, the Village of Wellington's ordinances concerning travel and training reimbursement have not been amended since 2006;

**WHEREAS**, the Village's policies have been reviewed by the Palm Beach County Inspector General's office, Village Auditor, staff and the Village Council; and

**WHEREAS**, the Village staff recommends the Council update the Travel and Training Reimbursement Policies for Council and staff travel and training to reflect current operations and practices.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, that:**

**SECTION 1:** Division 3 "Reimbursement for Travel and Training" of Chapter 2 "Administration" of Wellington's Code of Ordinances is hereby amended as follows:

**Sec. 2-126. - Purpose of division.**

The purpose of this division is to set forth the policy for travel advances and expense reconciliation for the Village Council and all Village staff.

**Sec. 2-127. - Scope of division.**

This division establishes guidelines for allowable expenses and the procedure for accurate and timely reconciliation of travel expenses.

**Sec. 2-128. – Expense guidelines.**

General guidelines for travel and training expenses are as follows:

- (1) Travel and training expenses shall reflect correct and complete expenditures (registration fees, lodging, transportation, etc.) that were incurred by the requesting party and shall be reported to Financial Services within a reasonable amount of time in order to avoid taxation per the Department of Treasury Internal Revenue Service (IRS) regulations.

- (2) No reimbursement shall be allowed where those costs are incurred and accounted by another person (i.e., two persons traveling in one vehicle cannot claim duplicate mileage/travel costs).
- (3) Subsistence may be reduced for any meals or lodging included in the conference, seminar or meeting registration.
- (4) No reimbursement shall be allowed for the spouse (or any other traveling companion) of the Village Council or Village staff.
- (5) No reimbursement shall be allowed for costs not actually incurred.

**Sec. 2-129. - Travel advances.**

The Village does provide travel advances for travelers who provide the appropriate documentation to Financial Services within a reasonable amount of time as outlined by IRS guidelines.

**Sec. 2-130. - Sales tax exemption; reasonable expenses for lodging, meals, transportation and services.**

Per diem reimbursement for meals shall be in accordance with the Department of Treasury Internal Revenue Service (IRS) as currently applicable and as these rates are periodically amended, meaning when the rates change, the Village rate will automatically change accordingly.

1. No receipts are required for per diem rates. Meals which exceed these limits by reason of location or type of function will be reimbursed if receipts are provided, and the exception shall be approved by the Village Manager or designee. Conference or seminar banquets and lunches in excess of the per meal allowance are allowable exceptions; however, these must be noted on the program or agenda.

2. Traveler may opt out of meals that are included in the conference, seminar or meeting registration, only if documented to serve a business/public purpose. Opting out of an already paid for (included in registration) meal will not be reimbursed. Receipts and proper documentation must be submitted and approved by Village Manager or designee.

3. Payments for group meals while traveling require a written explanation attached to the receipt. The Village reserves the right to withhold any meal reimbursement not having sufficient proof of actual expenditures and a valid reason of public purpose.

4. Tips will be reimbursed on a reasonable and customary basis, and include but are not limited to meals, baggage handling, transportation, valet and porter.

**Sec. 2-131. - Non allowable travel expenditures**

- (a) No entertainment or alcoholic beverage expenses shall be reimbursed
- (b) Airline clubs
- (c) Airline upgrades
- (d) Business or first-class airfares
- (e) Books, magazines, newspapers
- (f) Child-care, babysitting, house-sitting, pet-sitting/kennel charges
- (g) Commuting between home and work
- (h) Charge Card delinquency assessments
- (i) Costs incurred by traveler's failure to cancel transportation or hotel reservations in a timely fashion
- (j) Evening wear rentals
- (k) Formal wear expenses
- (l) Flowers
- (m) Gifts
- (n) Haircuts and personal grooming

**Sec. 2-132. - Transportation.**

All travel must be by a usually traveled route. In case a person travels by an indirect route for his or her own convenience, any extra costs shall be borne by the traveler and reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route. The department head or his or her designee shall designate the most economical method of travel for each trip, keeping in mind the following conditions:

1. The nature of the business.
2. The most efficient and economical means of travel (considering time of the traveler, impact on the productivity of the traveler, cost of transportation and per diem or subsistence required). When it is more efficient and economical to either the traveler or Village, jet service offered by any airline may be used when the cost is within an approved threshold determined by the department head or designee.
3. The number of persons making the trip and the amount of equipment or material to be transported.

(a) *Airfare*. Take advantage of special rates, when available.

(b) *Mileage*. The rate of reimbursement for the use of a personal car will be in accordance with the most current standard mileage rate of Department of Treasury IRS Publication 463 "Travel, Entertainment, Gifts and Car Expense". Reimbursement shall generally not exceed the reasonable cost of commercial airfare, including transportation to and from the airport.

(c) *Village vehicle*. Receipts for gasoline purchases for village vehicles must be provided.

(d) *Rental car*. A copy of the lease agreement for a rental car must be provided.

(e) *Taxi/limousine service*. Receipts must be provided for a taxi/limousine service.  
(f) *Tolls, parking facilities*. Receipts must be provided for all tolls and parking charges.

**Secs. 2-133-2-155. – Reserved.**

**SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Village Ordinance, Resolution, or municipal Code provision, then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 4:** The provisions of this Ordinance shall become effective immediately upon passage on second and final reading.

**PASSED** this 8<sup>th</sup> day of April, 2014, upon first reading.

**PASSED AND ADOPTED** this 22nd day of April, 2014, on second and final reading.

**WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
BY: _____	_____	_____
Bob Margolis, Mayor		
_____	_____	_____
John Greene, Vice Mayor		
_____	_____	_____
Matt Willhite, Councilman		
_____	_____	_____
Howard K. Coates, Jr., Councilman		
_____	_____	_____
Anne Gerwig, Councilwoman		

**ATTEST:**

BY: \_\_\_\_\_  
Awilda Rodriguez, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney