

ORDINANCE No. 2021-21

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING SECTIONS 2-8 TO 2-10 IN CHAPTER 2, ARTICLE I OF THE CITY'S CODE OF ORDINANCES RELATED TO CERTIFICATION, CONFERENCES AND TRAINING PROGRAMS AND REIMBURSEMENT OF TRAVEL EXPENSES; RECOGNIZING THAT THE MAYOR AND CITY COUNCIL MAY ESTABLISH FUTURE TRAVEL POLICIES BY RESOLUTION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 166.021(9), Florida Statutes, expressly recognizes that the City may establish travel and per diem reimbursement policies training programs, professional conferences, or professional certifications; and

WHEREAS, the Mayor and City Council believes that by simplifying the approval process employees will be further encouraged to pursue training programs, professional conferences, or professional certifications that will improve and enhance their skills, performance, and ability to assume additional responsibilities at the City; and

WHEREAS, the Mayor and City Council desires to establish future travel and per diem reimbursement and employee policies by resolution rather than by ordinance in order to simplify the adoption of future policy amendments and to avoid the added advertisement expense related to adopting ordinances; and

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WHEREAS, the Mayor and City Council of the City of Doral, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Doral.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Creation. Sections 2-8 to 2-10 in Chapter 2, Article I of the Code of Ordinances, to be entitled “Certification, Conferences or Training Programs” is hereby created to read as follows:

Section 3. Intent. The City of Doral encourages employees to voluntarily pursue training programs, professional conferences, or professional certifications that will improve and enhance their skills, performance, and ability to assume additional responsibilities at the City.

CHAPTER 2. ADMINISTRATION

ARTICLE I.

SECTIONS 2-8 to 2-10 - Certification, Conferences or Training Programs

Section 2-8 - Implementation.

- a. Every Department is required to include a budget line item to cover expenses inclusive of registration, attendance fees, and related expenses such as travel, lodging and food for conferences, management seminars,

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professional meetings, and other external seminars/training for their department personnel.

- b. Every employee shall be permitted to attend at minimum of one conference, management seminar, certification or training program or professional meeting every year.
- c. Employee's participation in any certification or training program shall be approved by the Department Director and City Manager provided that the certification or training programs are provided by an accredited university or college, professional association, professional training provider, or other similar institution and the employee has not participated in any certification or training program during the year. Employee's wishing to participate in more than one certification or training program in a calendar year must demonstrate that the certification or training program is necessary or required to achieve an official purpose or accreditation and receive an approval of the Department Director and City Manager.
- d. Any employee that serves as a director or board member of a professional association, regulatory board or advisory board shall be permitted to attend all meetings. Employees shall not be required to use their PTO to attend meetings and shall be reimbursed for expenses. The Director and the City Manager may not deny an employee serving as a director or board member of a professional association, regulatory board, or advisory board request to travel to and participate the meeting.

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- e. For “Out-of-State” travel the approving department director must first determine if the certification or training program is necessary to achieve the official purpose of the proposed trip.
- f. The employee should always consider less expensive alternatives to travel, such as local or technology-based alternatives (e.g., teleconferencing). If travel is deemed necessary, the director and the Manager may not unreasonably deny approval.

Section 2-9. Minimum Standards for Travel Authorizations.

- a. The City Manager shall authorize travel when necessary, effective, and economical.
- b. Travel authorizations must include the following information:
 - 1. Name of the traveler(s).
 - 2. Detailed description of the certification or training program.
 - 3. Location and approximate date(s) of the trip.
 - 4. Estimate of the travel costs.
 - 5. Certification statement that travel is performed in accordance with the intent of this ordinance and in the interest of the City and the use of telephone or video conferencing could not be used to satisfy this requirement.
- c. Charter officials shall give notification to the city council prior to travel.
- d. Official travel by a city employee where there is no cost to the city other than the use of the city vehicle, parking and tolls and travel does not

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exceed two (2) days (travel over two days requires the city manager's approval) shall be approved by the department director prior to travel.

Section 2-10 - Prudent Person Rule.

- a. The city manager or his/her designee shall be responsible for ensuring that employees exercise the same care when incurring expenses on official travel that a prudent person would if traveling at their own personal expense.
- b. Employees must pay for any costs more than pre-authorized or appropriate expenses with their personal funds.
- c. The city manager shall not approve claims for reimbursement for costs associated with an indirect route, extended travel time or premium accommodations and services that are not essential to the purpose of the trip.
- d. When travel is necessary, employees should follow the guidance below in order to reduce travel costs:
 1. Use electronic tickets, whenever available.
 2. When traveling by automobile, use city-owned vehicles (GOVs) and carpool, whenever possible.

Section 4. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

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Section 5. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 6. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, employee policies in conflict herewith, are repealed to the extent of such conflict.

The foregoing Ordinance was offered by Councilmember Puig-Corve who moved its adoption. The motion was seconded by Councilmember Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Absent/Excused
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 12 day of May, 2021.

PASSED AND ADOPTED on SECOND READING this 9 day of June, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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