



**Cooper City Commission Meeting
Agenda Item Request Form**

Date: 10/26/2017

Requesting Commissioner/Department: Mayor Ross/Commission Office

Commission Regular Meeting Date: 12/12/2017

Commission Workshop Meeting Date: _____

BID/RFP# _____ New Renewal

Contract Name/Description: _____

AGENDA

Presentation Consent Regular Discussion

BACKGROUND & RECOMMENDATION (attach backup material to Item Request Form)

11/14/2017: Commission moved to direct the City Attorney to draft the attached ordinance. Please add to the agenda for first reading.

Please see second page

GENERAL LEDGER ACCOUNT NUMBER(S) AND AMOUNT(S)

001-100-532401-511-

APPROVALS

Finance _____ City Manager _____ City Clerk _____

The City Commission approved a Travel and Per Diem Budget of \$15,000.00 or \$3,000.00 per Commission member for the 2017/2018 fiscal year, which allows for travel at the City's expense for city-related business. Given that threshold, and other statutory requirements related to travel expenses already in place, the additional requirement for commission approval in Section 34 (a) of Chapter 2 of the City Code creates an undue administrative burden.

A. To amend the City Code Chapter 2, Section 34 (a)
Sec. 2-34. Travel expenses.

(a) related to commission related travel expenses outside of Broward, Dade and Palm Beach Counties.

*Removing the Commission Approval stipulation for city-related travel when in conjunction the following specified functions, provided that the approved budget for travel is not exceeded by an individual Commission Member:

The Florida League of Cities Annual Conference, FLC Legislative Delegation Committee Meetings, Broward Days
The Florida League of Mayors Annual Conference, The National League of Mayors Annual Conference

*Creating an exception for travel to Tallahassee and Washington, DC to participate in state and federal lobbying efforts, within the allotted budgetary confines.

This will allow travel arrangements to be made in a timely manner, with fewer administrative encumbrances. Any expense over and above the approved, budgeted allowance will continue to require prior commission approval.

All other subsections of Ch2, Sec 34 related to statutory requirements for travel expenses and reimbursement will remain intact.

B. To amend the City Code Chapter 2, Section 39 to remove the stipulation deeming advancements to require prior city council authorization and allowing retroactive authorization when necessary.

Sec. 2-39. Advancements.

[Notwithstanding any of the foregoing restrictions and limitations, the city commission may make or authorize the making of, advances to cover anticipated costs of travel to travelers. These advancements must be authorized prior to the travel by the city council and may not be retroactively authorized.

All travel-related expenses are still subject to budgetary restrictions and reimbursements are subject to statutory requirements such as the submittal of detailed receipts. Tabled at Commission Meeting of 10/24/2017

This item is requested by staff for administrative purposes. Staff is prohibited from making travel arrangements at the City's expense in an expeditious manner due to the redundant and restrictive language in the ordinance. The specific language provided in this request was carefully chosen to maintain the integrity of the original intent of the 1983 ordinance, while relieving the additional administrative obligation already provided for with budgetary restrictions in place. Staff additionally urges the commission to refrain from lessening any requirements already set forth outside of the specific travel as stated in this request.]

ORDINANCE NO. P17-__ __

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE III “CITY COMMISSION”, DIVISION 2 “EXPENSE REIMBURSEMENT”, BY AMENDING SECTION 2-34 “TRAVEL EXPENSES”, TO REMOVE THE REQUIREMENT OF CITY COMMISSION APPROVAL FOR CITY-RELATED TRAVEL FOR CERTAIN EVENTS, AND AMENDING SECTION 2-39 “ADVANCEMENTS”, TO ALLOW RETROACTIVE AUTHORIZATION OF ADVANCEMENTS WHEN NECESSARY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to amend City Code Section 2-34 “Travel Expenses,” to remove the requirement of prior City Commission approval for city-related travel expenses when in conjunction with certain events; and

WHEREAS, the City Commission desires to amend City Code Section 2-39 “Advancements,” to allow retroactive authorization of advancements when necessary; and

WHEREAS, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that this Ordinance is in the best interest of the citizens and residents of the City; and

WHEREAS, the City Commission has held a public hearing in accordance with Florida law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:¹

Section 1. RECITALS ADOPTED. That each of the above-stated recitals is hereby adopted and confirmed.

¹ Additions to existing City Code text are shown in underlined text; deletions are shown in ~~strikethrough~~ text.

Section 2. CHAPTER 2 OF CITY CODE AMENDED. That Section 2-34 “Travel Expenses” and Section 2-39 “Advancements” of Division 2 “Expense Reimbursement” of Article II “City Commission” of Chapter 2 “Administration” of the City Code of the City of Cooper City, Florida, is hereby amended to read, as follows:

CHAPTER 2. ADMINISTRATION

* * *

ARTICLE II. CITY COMMISSION

* * *

DIVISION 2. EXPENSE REIMBURSEMENT

* * *

Sec. 2-34. Travel Expenses

(a) *Travel to be authorized in advance.* All travel except within Broward, Dade and Palm Beach Counties, Florida, must be authorized by the city commission in advance. No reimbursement for travel is authorized outside of Broward, Dade or Palm Beach Counties unless approved in advance by the city commission.

(1) Exceptions. The following city-related travel do not require prior city commission approval, provided that the expenses do not exceed the approved travel budget for that individual commissioner: travel in conjunction with the Florida League of Cities Annual Conference, Florida League of Cities Legislative Delegation Committee Meetings, Broward Days, the Florida League of Mayors Annual Conference, and the National League of Mayors Annual Conference, or travel to Tallahassee or Washington D.C. to participate in state and federal lobbying efforts on behalf of the city.

* * *

Sec. 2-39. Advancements.

Notwithstanding any of the foregoing restrictions and limitations, the city commission may make or authorize the making of, advances to cover anticipated costs of travel to travelers. These advancements must be authorized prior to the travel by the city ~~council~~ commission, but ~~and~~ may ~~not~~ be retroactively authorized when necessary because of time constraints or commission meeting schedules, as determined by the City Manager.

Section 3. REPEAL. That all sections or parts of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

Section 4. SEVERABILITY. That should any section or provision of this Ordinance, or any portion thereof, of any paragraph, sentence or word, be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or a part thereof, other than the part declared to be invalid.

Section 5. INCLUSION IN THE CODE. That it is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Cooper City; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 6. EFFECTIVE DATE. That this Ordinance shall be in force and take full effect immediately upon its passage and final adoption.

PASSED AND ADOPTED on First Reading this ____ day of November, 2017.

PASSED AND FINAL ADOPTION on Second Reading this __ day of _____, 2017.

GREG ROSS

Mayor

ATTEST:

Kathryn Sims
City Clerk

Approved As To Form:

DAVID M. WOLPIN
City Attorney

ROLL CALL

Mayor Ross	_____
Commissioner Sims	_____
Commissioner Mallozzi	_____
Commissioner Curran	_____
Commissioner Green	_____