

**A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, CREATING A TEMPORARY POLICY REGARDING EXPENSES INCURRED TO THE CITY BY STAFF OR COUNCIL MEMBERS ATTENDING TRAINING.**

**Whereas**, the City of Kempner, Texas is a Type A General Law Municipality under the laws of the state of Texas; and

**Whereas**, the City of Kempner does not have a written policy providing direction to staff regarding expenditures made while attending training as part of their employment; and

**Whereas**, the City of Kempner is currently engaged in the project of reviewing and revising its general policy manual; and

**Whereas**, certain statutorily mandated trainings are requiring staff attendance before the project is expected to be completed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS, THAT THE FOLLOWING POLICY IS HEREBY ENACTED, AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL A FINAL COMPREHENSIVE POLICY MANUAL IS ADOPTED BY THE COUNCIL.**

**Section 1. APPLICABILITY.** The provisions of this resolution apply to all City of Kempner employees, volunteers, Council Members and Mayor who attend training courses as part of their assignment within and for the benefit of the City.

**Section 2. DEFINITIONS:** (a) the term "Staff" of the City of Kempner means:

1. Any person employed by the City of Kempner in a full, part-time or seasonal period.
2. Any person engaged in providing regular volunteer work in which the City of Kempner directly benefits from.
3. The term does not include any elected or appointed council member, or Mayor of the City of Kempner.

(b) The term "Council" means any elected or appointed council member and includes the Mayor.

**Section 3. AUTHORIZATION OF TRAINING REQUIRED.**

- (a) All training attended by staff members, in which the City will incur any cost or liability must be first approved by the City Manager, in writing, on a form prescribed by the City Manager.
- (b) All training attended by the Council, in which the City will incur any cost or liability must be approved by the Council during a regular meeting of the Council, prior to cost incurred or reimbursement. For the purposes of this subsection, a council member may request reimbursement to be authorized by the Council after the attendance of the training. This request must be in writing, and contain the required documentation found in this resolution.
- (c) The City Manager shall ensure that each request for training is relevant to the position of the person attending, and due diligence has been taken to ensure the costs associated with such are kept to a reasonable and prudent level.

**Section 4. TRAVEL.**

- (a) Use of City owned vehicles to attend training is permissible. The City Manager may authorize a staff member or council to use a city owned vehicle based on the availability of city resources.

- (b) A staff member using a personally owned vehicle to travel to a training location is entitled to reimbursement in accordance with this policy. This subsection is only applicable to a situation where a City owned vehicle is not available for use. If a city owned vehicle is available for use, and the staff member uses a personally owned vehicle, the staff member is ineligible for reimbursement unless authorized by the Council.
- (c) Staff and council members using a city owned vehicle shall limit the use of that vehicle by properly planning routes to ensure the most cost-effective route is used. Incidental use of a city vehicle used under this resolution is permitted, but only in situations such as traveling to an eating establishment while attending the training or a store to purchase food to be prepared or personally hygiene items needed during the training.

#### **Section 5. LODGING**

- (a) Staff and Council attending training are permitted to use city credit cards for lodging. All expenses must be within the guidelines of this resolution.
- (b) Incidentals are not permitted, and any incidental cost associated with lodging shall be paid by the staff or council incurring the charge.

#### **Section 6. Meals**

- (a) Staff and Council are eligible to use city credit cards, or receive reimbursement, for the lunch meal while attending training if all the following apply:
  - i. The duration of training is longer than 6 hours, and
  - ii. A meal is NOT provided as part of the tuition, and
  - iii. The training location exceeds 15 miles from City Hall.
- (b) Staff and Council are eligible to use city credit cards, or receive reimbursement, for the breakfast meal if they spent the night prior in lodging approved by this resolution and the lodging establishment does not otherwise offer a complimentary breakfast.
- (c) Staff and Council are eligible to use city credit cards, or receive reimbursement, for a supper meal on days in which they are staying the night to attend training the following morning.

#### **Section 7. Rate and Reimbursement limits.**

- (a) Meals and lodging rates shall be aligned with the U.S General Services Administration "Per diem" rates found online for the location of the training.
- (b) Mileage reimbursement shall not exceed the rate set by the Internal Revenue Service mileage reimbursement rate.

#### **Section 8. Documentation Required.**

- (a) Credit card use. Any credit card used to purchase meals or lodging shall have a detailed receipt turned in to the City Manager. If a receipt is not provided to the City Manager, the City Manager shall take measures to ensure the staff member obtains and turns in receipts in the future, along with preparing a written explanation and description of the incurred cost. Repetitive violations of these requirements may result in disciplinary action up to and including termination of employment.
- (b) Reimbursement. Any staff or council member seeking reimbursement for expenses incurred while attending authorized training shall:
  - i. Be in writing
  - ii. Be accompanied by a detailed receipt

- iii. For mileage reimbursement: must describe the starting and end point, as well as acknowledgement that a city owned vehicle was not available for staff to use.
- iv. Be approved by the City Manager
- v. Be submitted to the council for approval if the reimbursement is for a council member.
- vi. Be reimbursed to the employee as soon as practicable after approval of the city manager or council.

(c) The City manager may develop a standardized form used to accomplish the purpose of this section.

**Section 9. Severability.** In any provision of this resolution or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

**Section 10. Open Meetings.** That it is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act Chapter of the Texas Government Code.

**PASSED AND APPROVED** on this the 24th\_ day of January, 2023

**Attest:**

**City of Kempner, Texas**



**City Secretary**



**John "JW" Wilkerson, Mayor**