RESOLUTION NO. 19-30-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING REASONABLE UNIFORM RATES FOR THE REIMBURSEMENT OF PER DIEM, MILEAGE, AND SUBSISTENCE ALLOWANCES FOR TOWN EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLI9CT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to the Town Administration, a merit system, and personnel rules and regulations, which are set forth in the Town of Lake Park Employee Policy Handbook, "Section 7 General Operating Procedures", "Article 8 Travel and Subsistence Allowance"; and

WHEREAS, in 2003, the Florida Legislature amended Section 112.061, Fla. Stat. (2003), to clarify that municipalities may adopt reasonable per diem, mileage, and travel allowances that exceed the maximum travel expenses specified in Section 112.061, Fla. Stat., for per diem, subsistence, and mileage expenses of municipal employees; and

WHEREAS, the Town staff has determined that it is fair, reasonable and in the best interest of the Town, and its employees to provide for reasonable reimbursement rates of per diem, subsistence, and mileage expenses for Town employees as the Town Commission determines from time to time are fair and equitable, in view of the rising cost of travel, mileage, and subsistence expenses; and

WHEREAS, the Town's staff has recommended that the following rates be adopted and established to apply uniformly to all Town employees and has further determined that it is therefore necessary to enact a Resolution which establishes reasonable rates for per diem, mileage, and subsistence for its employees; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

SECTION 1. The whereas clauses are incorporated herein as true and correct and as the findings of the Town Commission.

SECTION 2. The Town of Lake Park Employee Policy Handbook, "Section 7, General Operating Procedures", is hereby amended by the revision of "Article 8, Travel and Subsistence Allowance" providing for a per diem rate of $35 per day for travel that requires and overnight stay and subsistence rates of $3 for breakfast, $6 for lunch, and $12 for dinner for travel not requiring an overnight stay.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Repeal of Laws In Conflict. All ordinances or parts of ordinances, resolutions, or laws, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Garretson, who moved its adoption. The motion was seconded by Commissioner Otterson, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR PAUL W. CASTRO	X	
VICE-MAYOR G. CHUCK BALIUS	X	
COUNCILOR PAUL GARRETSON	X	
COUNCILOR BILL OTTERSON	X	
COUNCILOR JEANINE LONGTIN	X	

The Mayor thereupon declared the foregoing Resolution NO. 19-03-04 duly passed and adopted this 17th day of March, 2004.

TOWN OF LAKE PARK, FLORIDA

BY: _____
PAUL W. CASTRO
MAYOR

ATTEST:

_____
CAROL SIMPKINS
TOWN CLERK

(TOWN SEAL) TOWN OF LAKE PARK SEAL FLORIDA

Approved as to form and legal sufficiency:

BY: _____
THOMAS J. BAIRD
TOWN ATTORNEY