

Regular Meeting: March 14, 2022

First Read: March 14, 2022

ORDINANCE NO. 2022- 10

**AN ORDINANCE OF THE CITY OF FAIRFIELD BAY,
ARKANSAS, APPROVING REVISED POLICY
CHANGES FOR REIMBURSEMENT OF
HOTEL, MOTEL, AND
MILEAGE FOR MUNICIPAL VOLUNTEERS,
CITY EMPLOYEES,
AND ELECTED OFFICIALS;
DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES**

WHEREAS, The City has received and reviewed its 2020 Legislative Audit Report, which has been accepted by the City Council; and

WHEREAS, The 2020 Legislative Audit Report, and accompanying Management Letter, specify that the City must revise certain policies and procedures, in particular those concerning reimbursement of certain hotel, motel, and mileage reimbursements; and

WHEREAS, the Mayor, and the City Council agree that compliance with the recommendations and requirements made by Legislative Audit will help the City meet its obligations under the fiscal responsibility provisions of Arkansas law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF FAIRFIELD BAY, ARKANSAS, that:

- 1. This Ordinance is NOT TO BE CODIFIED at this time.**
- 2. NOT TO BE CODIFIED:** The City of Fairfield Bay requires certain information for reimbursement of hotels, motels, and other overnight lodging, including the following:
 - a. Submission of the original receipt for the overnight stay; photocopies are unacceptable and may be declined for that reason, alone.
 - b. Original vendor receipts must be itemized, and dated or numbered by the vendor; receipts that do not have that information are unacceptable and may be declined for that reason, alone.

- c. The person requesting reimbursement must keep her or his own copy of the receipt; the City will depend on the person submitting the request to keep a copy of the receipt, as part of the City's backup procedures for keeping copies of financial records.
- d. The person requesting reimbursement must specify the reason for the overnight accommodations (conference, training, or other stay approved by the City).
- e. Departmental requests for reimbursement of overnight lodging shall be done no less than monthly, with appropriate backup, at the end of each month; reimbursement requests older than forty-five (45) days from the date of the overnight stay may be denied for that reason, alone.
- f. Requests for reimbursement of overnight lodging at any conference or class must also include a copy of the agenda or class schedule.
- g. Reimbursement can only be made for bills paid by the personal credit card, debit card, or other personal funds of the person requesting reimbursement; reimbursement for use of any other governmental program, and any other governmental funds, to pay for the meal is prohibited. Submission of a request for payment is the employee's (or volunteer's) affirmative statement that the request for reimbursement is for the personal, non-governmental, funds of the person requesting reimbursement, and is not otherwise prohibited by law.
- h. Reimbursement requests shall specify whether the person seeking reimbursement is a paid municipal employee, an elected official, or is a volunteer. Elected officials and Municipal employees are required to abide by all personnel policies of the City.
- i. The Mayor may approve pre-payment of certain overnight lodging to secure the facility, or otherwise, within the statutory requirements of her authorization to make expenditures on behalf of the City.

3. **NOT TO BE CODIFIED:** The City of Fairfield Bay requires certain information for reimbursement of mileage, including the following:

- a. **Volunteers (limited purpose volunteers with mileage stipend):** Certain volunteers of the City of Fairfield Bay receive a mileage stipend, monthly, in lieu of formal compensation, and in lieu of submitting actual mileage, in accordance with applicable federal, state and local law. Those persons who receive a mileage stipend shall not be eligible for any other mileage reimbursement.
- b. **Volunteers (all other volunteers):** Volunteer mileage shall only be reimbursed at the rate authorized by the United States Internal Revenue Service for reimbursement of mileage for volunteers doing charitable work. Additionally, mileage shall only be reimbursed when authorized by the

Budget Ordinance, and may be limited to reimbursement once per calendar year, after the passage of the Budget for the next fiscal year, and if, and only if, the Mayor determines that funds are available for volunteer mileage reimbursement. Mileage can only be reimbursed in the calendar year in which the mileage was incurred, and is subject to budgetary and other fiscal constraints of the City, as those may be determined by the Mayor from time to time.

- c. **Employees and Elected Officials.** For paid employees on official business, and for elected officials on official business, reimbursement for mileage may be made (if budgeted) at the prevailing GSA rate, and provided that funds are available.
 - d. Mileage may only be reimbursed (where budgeted) on the following conditions:
 - i. **Agenda for conference, training, official business or other meeting must be submitted at the time of reimbursement request.**
 - ii. **Mileage voucher must be timely submitted, within forty-five (45) days of return trip; dates of mileage incurred must match the dates and times of the meeting, conference, or other official business.**
 - iii. **City will reimburse for actual mileage incurred, or the “map mileage” specified on an applicable map of the State of Arkansas (and the United States of America), whichever is the lesser mileage.**
 - iv. **Reimbursement for mileage is prohibited for driving a city vehicle; reimbursement for mileage is prohibited where a city credit card (or other city authorization) was used to purchase the gasoline for the trip.**
 - v. **Reimbursement for commuting, and other personal mileage (as prohibited by the United States Internal Revenue Service) is prohibited by the City.**
4. **TO BE CODIFIED: EMERGENCY CLAUSE:** Because of the potential danger to public peace, health, and safety, that will result from the lack of adequate supporting detail for hotel, motel, and mileage reimbursement requests, **AN EMERGENCY IS HEREBY DECLARED TO EXIST**, and this Ordinance being necessary for the peace, health, safety, and general welfare of the City and its Citizens, **IT SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON AND AFTER ITS PASSAGE.**
5. **NOT TO BE CODIFIED. SEVERABILITY CLAUSE:** If any provision of this Ordinance, or the application thereof, to any person or circumstance is held invalid

for any reason, such invalidity shall not affect other provisions or applications of this Ordinance, which shall be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

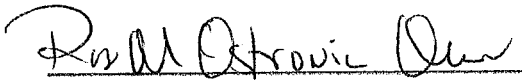
6. NOT TO BE CODIFIED. The City may subsequently decide to submit this Ordinance for Codification as part of the Municipal Code. It will become part of Title 3, Fiscal Affairs, and shall become Chapter 3.07 Hotels and Mileage, if and when submitted for codification to the Municipal League.
7. REPEAL. Those parts of the Municipal Code in conflict with this Ordinance be, and they are hereby REPEALED on the 31st day after this Ordinance becomes effective, to the extent of the conflict. In the event of any conflict of laws, the lesser amount of reimbursement for hotel, motel, and mileage, shall be applicable, and shall be presumed to be the correct amount, even if the amount, as corrected, results in no reimbursement at all.

Dated this 9 Day of MAY, 2022.



Honorable Linda Duncan
Mayor, City of Fairfield Bay, Arkansas

Attest:



Rose O. Owen, Recorder-Treasurer

Approved: AJ Kelly,
City Attorney
Rev: 3/14/22