

ORDINANCE NO. 9878 (N.S.)

AN ORDINANCE AMENDING SECTIONS 470, 471, 472, 473.1, AND 476, OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ALL RELATING TO OUT-OF-COUNTY AND IN-COUNTY BUSINESS TRAVEL REIMBURSEMENT

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 470 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 470. AUTHORITY TO CONDUCT OFFICIAL BUSINESS OUTSIDE THE GEOGRAPHIC BOUNDARIES OF SAN DIEGO COUNTY (OUT-OF-COUNTY BUSINESS) AND WITHIN SAN DIEGO COUNTY (IN-COUNTY BUSINESS).

(a) Except as otherwise provided, the Board of Supervisors (Board) delegates the authority for approving specific travel requests within San Diego County (in-County business) and outside the geographical boundaries of San Diego County (out-of-County business) to the Chief Administrative Officer and individual elected officials.

(b) For purposes of this section, the Chief Administrative Officer includes the following authorized representatives: Assistant Chief Administrative Officer, Chief Financial Officer, Deputy Chief Administrative Officers, the Director, Health and Human Services (Agency Director) and Department Heads. Department Heads may delegate in-County and out-of-County business signatory authority to Executive Management level staff within their Department or Agency.

(c) The Chief Administrative Officer, or authorized designee, may approve in-County and out-of-County travel requests and expense claims. However, personal travel requests and expense claims of authorized representatives require approval of the Chief Administrative Officer.

(d) In extraordinary circumstances, travel outside of the continental United States that requires prior Board approval as defined in this section, may be taken prior to receiving approval of the Chief Administrative Officer, or authorized designee. Such out-of-County business must be presented for Board ratification at the next appropriate meeting.

(e) Out-of-County business must be authorized as described above in order to qualify for reimbursement of related actual and necessary expenses. Prior to being taken, any request for out-of-County business activity must be submitted to the Chief Administrative Officer, or authorized designee, for approval on a form prescribed by the Auditor and Controller. Upon return, a claim containing actual and necessary expenditures will be submitted to the Chief Administrative Officer, or authorized designee, for approval prior to processing by the Auditor and Controller, provided, however, that elected County officials may approve claims relating to their own approved out-of-County business.

(f) The Chief Administrative Officer, or authorized designee, may approve the following:

- Out-of-County business requests.

- Resultant claims.
- County business advances per Section 473.1.
- Unusual actual County business expenses per Section 472.1.
- Mode of transportation, including most appropriate available public carrier, per Section 474.
- Authorized County activities per Section 471.

(g) County business that is required by Federal or State law or court order shall be subject to the provisions of this Article unless otherwise specified.

(h) County officers and employees in the performance of official duties may conduct out-of-County business without specific authorization outside of the County of San Diego and into the Counties of Orange, Riverside, or Imperial. Specific approval must be obtained from the Board for travel to destinations outside of the continental United States. Incidental business travel to Mexico is exempt from this restriction and should be budgeted.

(i) When on official County business, employees will not conduct County business at the expense of persons doing or seeking to do business with the County, without prior approval of the Chief Administrative Officer, or authorized designee.

Section 2. Section 471 of the San Diego County Administrative Code is hereby amended to add as follows:

SEC. 471. DEFINITIONS.

(a) The term “persons in the service of the County” shall include all County officers and employees, including persons serving on County boards, commissions, committees, or advisory bodies; volunteers and reserves; and the Board of Directors of the San Diego County Capital Asset Leasing Corporation.

(b) The term “Chief Administrative Officer” includes authorized representatives as defined in Section 470 (b).

(c) The term “authorized County activities” shall include: travel within the County of San Diego, business trips, meetings, presentations, educational courses, seminars, workshops, training and staff development sessions, field surveys and inspections, and any other activity determined by the Chief Administrative Officer, or authorized designee, to be of direct benefit to the County.

(d) The term “privately owned vehicle” shall be limited to vehicles with at least four wheels, licensed for use on public thoroughfares.

(e) The term “IRS” means Internal Revenue Service, United States Department of the Treasury.

(f) The term “GSA” means United States General Services Administration.

(g) The term “IRS mileage rate” means the business mileage rate established by the IRS.

Section 3. Section 472 of the San Diego County Administrative Code is hereby amended to add as follows:

SEC. 472. NORMAL MAXIMUM REIMBURSABLE RATES AND AMOUNTS.

Pursuant to Sections 913 and 913.1 of the County Charter, the normal maximum rates and amounts to be paid as reimbursement for actual and necessary expenditures related to authorized County business are established in this Section and Section 472.1. The Auditor and Controller shall periodically review these reimbursable rates and amounts, and as necessary, prepare adjustments for the Board’s approval.

Transportation

The amount of reimbursement shall equal the actual cost of carrier services, including taxi-cabs, shuttles, vehicle rental and storage of vehicle.

For transportation by privately owned aircraft, the amount of reimbursement shall equal the equivalent fare for the appropriate available out-of-County public carrier as determined by the Auditor and Controller. For transportation by privately owned vehicle, the reimbursable amount shall be equivalent to the fare of the most appropriate available public carrier as determined by the Auditor and Controller, or the calculated actual mileage reimbursement, whichever is less. Mileage shall be reimbursed using the IRS mileage rate in effect at the County at the time of travel. In the event the IRS increases or decreases the reimbursement rate for mileage, the County will adjust its rate of reimbursement to equal the IRS rate within sixty (60) days of the effective date of the IRS increase.

When out-of-County travel is authorized using a privately owned vehicle or aircraft, the cost of the actual and necessary transportation, including parking fees at the destination shall also be eligible for reimbursement. The number of meals, nights of lodging, and days in a duty out-of-County business status shall be limited to the number which would have been required if transportation were furnished by the most appropriate available public carrier.

Lodging

The cost of lodging is limited to the amount arranged through the approved County travel agent. If booked outside the County travel agent, reimbursement shall be limited to the lesser of the published GSA per diem rate for the time and location of travel (GSA rates can be accessed via the Auditor and Controller’s website) or the actual cost incurred. For locations not specifically listed in the schedule of GSA schedule, the per diem rate for the closest location to the vicinity of travel, as determined by the Auditor and Controller, shall be used as the basis for reimbursement. Actual room tax may be reimbursed even if it is computed on room costs which exceed the stated rate.

Reimbursement for lodging involving the use of field camping equipment, including tents, campers, trailers, mobile homes, and similar portable or vehicular lodging equipment provided by the person in the service of the County shall be based upon the type of equipment used and

the nature of the out-of-County business. Such reimbursement shall not exceed either: the amount arranged through the approved County travel agent; the relevant GSA per diem rate as determined by the Auditor and Controller; a reasonable amount determined by the Chief Administrative Officer, or authorized designee; or a combination of any of the items listed above.

Meals and Incidentals

GSA per diem rates based on the location of travel will be used for the reimbursement of meals and incidentals. These rates include any applicable tax and gratuity. Where the cost of a meal or meals is included as part of a registration charge or fee, there shall be no per diem meal reimbursement for the applicable meal period covered by such registration. Incidentals include fees and tips given to porters, baggage carriers, bellhops, hotel maids, and hotel servants in foreign countries, transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the temporary duty site. Incidental expenses do not include expenses for laundry, cleaning and pressing of clothing, lodging taxes, or personal internet and telephone charges.

No reimbursement shall be made for alcoholic beverages of any kind.

No reimbursement shall be made for breakfast unless such out-of-County travel commences from office or place of residence by 7:00 a.m. or such travel is completed by return to office or place of residence at or after 8:00 a.m.; no reimbursement shall be made for lunch unless such travel commences at or before 11:30 a.m. or is completed at or after 1:00 p.m.; and no reimbursement shall be made for dinner unless such travel commences by, or is completed at or after, 7:00 p.m. GSA first and last day meals and incidentals reimbursement rates do not apply.

Telephone - Fax – Internet - Registration

The actual cost of business related telephone, fax, internet and registration charges or fees shall be reimbursed.

Rental of Work or Conference Facilities

A reasonable amount determined by the Chief Administrative Officer, or authorized designee, based upon the type of meeting, course, or session, and the number of participants shall be the basis for reimbursement.

Miscellaneous Expenses

Depending on the duration of the out-of-County business, the reimbursement for miscellaneous items such as laundry and dry cleaning, shall be an amount that is determined by the Chief Administrative Officer, or authorized designee, to be reasonable and necessary for the conduct of County business. In addition to any reimbursement for use of a privately owned vehicle, 40% of the effective IRS mileage rate or a reasonable amount determined by the Chief Administrative Officer, or authorized designee, shall be reimbursed for each mile an authorized privately or publicly owned trailer is towed on business for the County by that vehicle.

Section 4. Section 473.1 of the San Diego County Administrative Code is hereby amended to add as follows:

SEC. 473.1. PREPAYMENTS.

- (a) Whenever any person in the service of the County is required to conduct business on behalf of the County, a request may be made for a prepayment of County business expenses and expenses incidental to such County business. Such a request is to be made on a form prescribed by the Auditor and Controller. The minimum advance allowable is \$100.
- (b) Upon the presentation of an approved request filed in accordance with procedures prescribed by the Auditor and Controller, a warrant shall be drawn payable to such person in the amount of the prepayment.
- (c) Within 10 days after return, the person receiving such prepayment shall file with the Auditor and Controller a statement per Section 473 for the County business for which a prepayment was made and pay to the County any unexpended balance. An individual may not request or receive another prepayment until any outstanding prepayments have been settled.

Section 5. Section 476 of the San Diego County Administrative Code is hereby amended to add as follows:

SEC. 476. FURNISHING MEALS DURING MEETINGS.

- (a) The head of any County office or department, upon approval of the Chief Administrative Officer, and any member of the Board may provide at County expense or be reimbursed for the expense of providing meals to any person in the service of the County, including him or herself, when such persons in performing their duties are attending conferences or meetings, at which County business is conducted during a meal period. The cost of such meals shall not exceed the amounts specified in Section 472.
- (b) Any member of the Board and head of any County office or department may provide at County expense or be reimbursed for the expense of providing refreshments to any person in the service of the County, including him or herself, when such persons in performing their duties are attending conferences, workshops, or meetings, at which County business is conducted. The cost of refreshments, including minor snacks and supplies such as cups, napkins, etc., shall not exceed \$5.00 per person unless approved by the Chief Administrative Officer, or authorized designee. This reimbursement allowance is not intended for routine meetings, but should be limited to select instances where circumstances warrant, such as offsite retreats, team building, and other special events.

Section 6. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED THIS 18th day of September, 2007