

RESOLUTION NO. 2023-001

RESOLUTION OF SAN CARLOS ESTATES WATER CONTROL DISTRICT (“DISTRICT”) ADOPTING A TRAVEL REIMBURSEMENT POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL CONSTRUCTION AND FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 298 Florida Statutes, the Judicial Decree by the Circuit Court of the Twelfth Judicial Circuit in and for Lee County, Florida, Case No. 69-105, dated April 3, 1969, and other applicable provisions of law, the San Carlos Water Control District (“District”) is responsible for operating a system of perimeter canals, dikes, roadside swales, roadbeds, basins and outfall canals to provide drainage and stormwater flow control and other reclamation of the lands located within the District's geographical boundary as an independent special district; and,

WHEREAS, the District Board of Supervisors (“Board”) is desirous of adopting a Travel Reimbursement Policy; and,

WHEREAS, Florida law, especially Chapter 112.016, Florida Statutes, authorizes the District to reimburse Board members and employees for certain travel expenses as is authorized by Florida law and by the Board of Supervisors.

NOW THEREFORE, be it resolved by the Board of Supervisors of the San Carlos Estates Water Control District that:

SECTION 1 - AUTHORITY

This Resolution is adopted pursuant to the provisions of Florida law, especially Chapter 298, Florida Statutes, and the District’s enabling judicial decree entered by the Circuit Court of the Twelfth Judicial in and for Lee County, Florida, Case No. 69-105, dated April 3, 1969, and other applicable provisions of law.

SECTION 2 - INCORPORATION OF RECITALS

The recitals set forth above are true and correct and form a part of this Resolution.

SECTION THREE – ADOPTION OF TRAVEL REIMBURSEMENT POLICY

The Board of Supervisors hereby adopts the San Carlos Estates Water Control District Travel Reimbursement Policy attached hereto and made a part hereof as Exhibit A as the current

Travel Reimbursement Policy of the District, until such time as the Travel Reimbursement Policy of the District is amended by applicable law or a subsequent action of the Board.

SECTION FOUR - SCRIVENER'S ERRORS

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the President/Chair of the Board of Supervisors without need of a public meeting or Board decision making action by the President/Chair of the Board of Supervisors filing a corrected or re-codified copy of same with the District's records custodian.

SECTION FIVE - SEVERABILITY

If any section, subsection, sentence, clause or other provision of this Resolution is held unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall be deemed a separate provision and eliminated from this Resolution and shall not affect the remainder of this Resolution.

SECTION SIX - RESCISSION

The Board of Supervisors hereby rescinds all prior resolutions and other official action of the Board of Supervisors to the extent of any conflict with any part of this Resolution.

SECTION SEVEN - CONSTRUCTION AND EFFECTIVE DATE

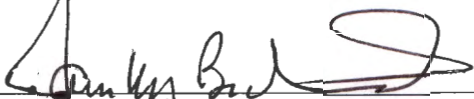
This Resolution shall be liberally construed to effect the purposes hereof and shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION WAS OFFERED BY SUPERVISOR Jennifer Finazzo WHO MOVED THE RESOLUTION'S ADOPTION. THE MOTION WAS SECONDED BY SUPERVISOR John Cellucci AND, UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

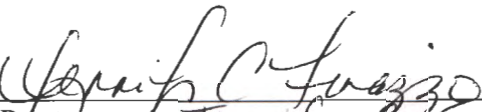
<u>NAME</u>	<u>YES</u>	<u>NO</u>
Jim Bradford	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Finazzo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Cellucci	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Duly passed and adopted on this 20th day of February, 2023.

**BOARD OF SUPERVISORS OF THE SAN CARLOS ESTATES
WATER CONTROL DISTRICT**

By: 
Print name: James M Bradstreet
Print title: Chairman

ATTEST:

By: 
Print name: Jennifer C. Frazzato
Print title: Vice Chairman

**SAN CARLOS ESTATES WATER CONTROL DISTRICT TRAVEL
REIMBURSEMENT POLICY**

The San Carlos Estates Water Control District (“District”) hereby adopts this policy on this 20th day of February, 2023 to govern payment and/or reimbursement of travel expenses, pursuant to the District’s authority granted by law.

Except as described herein, the District shall follow the provisions of the Florida Statutes concerning payment and/or reimbursement of travel expenses, especially Section 112.061, Florida Statutes, as said statutory law may be amended from time to time.

All travel on behalf of the District must be pre-approved by the Chair of the Board of Supervisors or their designee and all travel expenses known in advance of travel must be pre-approved by the Chair of the Board of Supervisors or their designee as a prerequisite to travel expenses being reimbursed or paid by the District.

The District may prepare a “Request Form” for the purpose of a Board member or employee requesting payment or reimbursement of travel expenses and if a form is prepared by the District, said form shall be used by all Board members and employees requesting payment or reimbursement of travel expenses.

The travel expense reimbursement rate for travel reimbursement of the District Board members and employees shall be the travel reimbursement rates described by the U.S. Internal Revenue Service (IRS), as said rates may be amended from time to time. Where a travel expense reimbursement rate is not described by the IRS regulations, the travel expense reimbursement rate shall be as described by Florida law, especially Section 112.061, Florida Statutes, as said law may be amended from time to time. The travel expense reimbursement rates described by the IRS regulations for travel reimbursement will include reimbursement of mileage for the use of a Board member’s or employee’s personal vehicle.

This policy shall take effect immediately upon its adoption by the Board of Supervisors on February 20, 2023.

James M. Bradburn
Attest:

James M. Bradburn
Chairman