



NOTICE OF SPECIAL COUNCIL MEETING

In accordance with § 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of City Council and to the general public that the Mayor and Council of the City of San Luis, Arizona, will hold a Special City Council meeting at 6:00 p.m., Wednesday, March 1, 2023. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. The public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. § 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. § 1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Sonia Cornelio, City Clerk

AVISO DE JUNTA ESPECIAL

De acuerdo con los Estatutos del Estado de Arizona A.R.S. § 38-431.01, se le informa a los miembros del Cabildo y al público en general que el Alcalde y el Cabildo, tendrán una Junta Especial a las 6:00 p.m., el día Miércoles, 1ro de Marzo del 2023. La junta se llevará a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349. El público está invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicado en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona A.R.S § 1-602.A.9, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones políticas para hacer una grabación de audio o video de su hijo menor de edad. Las juntas del Cabildo se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabación, o tomar acción personal para asegurarse que su hijo menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con los Estatutos del Estado de Arizona A.R.S. § 1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Sonia Cornelio, Actuaría de la Ciudad



AGENDA
Special Meeting
San Luis City Council
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
March 1, 2023
6:00 p.m.

PLEASE TAKE NOTICE THAT MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION. THE MAYOR OR ACTING MAYOR FOR THIS MEETING MAY CHANGE THE ORDER OF THE ITEMS; IF AUTHORIZED BY LAW AND BY A MAJORITY VOTE OF A QUORUM OF CITY COUNCIL MEMBERS PRESENT, AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE VOTE IN ACCORDANCE WITH A.R.S. § 38-431.03(A) AND THE MEETING WILL BE TEMPORARILY RECESSED WHILE THE CITY COUNCIL RETIRES TO EXECUTIVE SESSION WHICH WILL NOT BE OPEN TO THE PUBLIC.

TENGA EN CUENTA QUE LOS MIEMBROS DEL CABILDO DE LA CIUDAD ASISTIRÁN EN PERSONA, TELÉFONO O COMUNICACIÓN POR VIDEO CONFERENCIA. LA ALCALDESA O ALCALDE INTERINO DE ESTA REUNIÓN PUEDE CAMBIAR EL ORDEN DE LOS TEMAS; SI ESTÁ AUTORIZADO POR LA LEY Y POR MAYORÍA DE VOTOS DE UN QUÓRUM DE MIEMBROS DEL CABILDO PRESENTES, SE LLEVARÁ A CABO UNA SESIÓN EJECUTIVA INMEDIATAMENTE DESPUÉS DE LA VOTACIÓN DE ACUERDO CON LOS ESTATUTOS DEL ESTADO DE ARIZONA A.R.S. § 38-431.03 (A) Y LA REUNIÓN SERÁ TEMPORALMENTE RECESADA MIENTRAS EL CABILDO DE LA CIUDAD SE RETIRE A UNA SESIÓN EJECUTIVA QUE NO ESTARÁ ABIERTA AL PÚBLICO.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. DISCUSSION AND POSSIBLE ACTION ITEM:

Discussion and possible action on any and all matters regarding Resolution No. 2255. A resolution of the Mayor and City Council of the City of San Luis, Arizona, establishing February 23, 2023, as the effective date for Resolution No. 2254 regarding pay for temporary assignments; repealing any conflicting provision, providing for severability; and declaring an emergency. **(Kay Marion Macuil, City Attorney)**

(6 votes in favor are required to pass immediately as an emergency measure per A.R. S. § 19-142)

4. ADJOURNMENT



AGENDA ITEM REVIEW FORM

Special City Council Meeting

3.

Meeting Date: 03/01/2023

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Motion
Resolution

ITEM:

DISCUSSION AND POSSIBLE ACTION ITEM:

Discussion and possible action on any and all matters regarding Resolution No. 2255. A resolution of the Mayor and City Council of the City of San Luis, Arizona, establishing February 23, 2023, as the effective date for Resolution No. 2254 regarding pay for temporary assignments; repealing any conflicting provision, providing for severability; and declaring an emergency. **(Kay Marion Macuil, City Attorney)**

(6 votes in favor are required to pass immediately as an emergency measure per A.R. S. § 19-142)

SUMMARY:

Background - Policy for Pay for Temporary Assignments

The city's Salary Administration policy, under San Luis Personnel Policies § HR-3-03(L), allows for employees to be temporarily assigned:

- (1) to cover another position of a higher or lower grade or
- (2) to assume some of the duties of a higher or lower pay grade to meet temporary organizational needs.

This is commonly done when another position is vacant or due to an employee's Leave of Absence and duties to that position requiring coverage.

Resolution No. 2254 passed February 22, 2023, amended § HR-3-03(L), removing the 90-day wait period for a 5% increase or entry rate of the new position, whichever is higher.

What This Resolution No. 2255 Does

Despite discussion at the February 22, 2023, Council Meeting desiring that the change to HR-3-03(L) take effect immediately, the Resolution did not set an effective date. Under the State Statute, A.R.S. § 19-142(B) and San Luis City Code § 2.05.520(A), resolutions become operative until 30 days after passage, unless an emergency is declared and there are six (6) votes of City Council in favor.

Resolution No. 2255 sets the effective date as February 23, 2023, and declares an emergency. This means that

- (1) employees currently on temporary assignments who have not completed the 90 days can start receiving the additional pay for their services with the paycheck that will issue on March 3, 2023, and
- (2) any employees directed to work temporary assignments who start the assignments on or after February 23, 2023, will not have to wait 90 days for the additional temporary assignment pay.

RECOMMENDATION / SUGGESTED MOTION:

I MOVE TO APPROVE AND ADOPT RESOLUTION NO. 2255 AND DECLARE AN EMERGENCY.

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: Yes
CITY/STATE/FEDERAL FUNDS: Potentially All
TOTAL: See Fiscal Impact Statement
BUDGETED AMOUNT: See Fiscal Impact Statement
AVAILABLE AMOUNT TO TRANSFER: See Fiscal Impact Statement
ACCT NAME & GL#/REMAINING BALANCE BEFORE PURCHASE: See Fiscal Impact Statement
FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

Temporary assignments are necessary for the continuity of operations when there are vacancies in the department. These vacancies provide budget capacity to cover the additional pay. For employee's Leave of Absence with pay, there are no vacancies to cover the additional expense; however, the departments can identify budget capacity within the departments or as a request east resort, departments may request from City Council at an Open City Council Meeting, funds from the contingency budget.

Attachments

Resolution No. 2255
Resolution No. 2254



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

NO. 2255

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, ESTABLISHING FEBRUARY 23, 2023, THE EFFECTIVE DATE FOR RESOLUTION NO. 2254; REPEALING ANY CONFLICTING PROVISION, PROVIDING FOR SEVERABILITY; E AND DECLARING AN EMERGENCY.

A. WHEREAS, on February 22, 2023, San Luis City Council passed Resolution No. 2255, which removed the requirement under San Luis Personnel Policy § HR-3-03(L) for those serving temporary assignments to wait ninety (90) days before receiving the payment for temporary assignments; and

B. WHEREAS, during the February 22, 2023, Council Meeting discussion on Resolution No. 2254, there was an expressed desire that the removal of the waiting period take effect immediately; and

C. WHEREAS, Resolution No. 2254 did not set an effective date, and so the default effective date of thirty days after the passage under A.R.S. § 19-142(B) and San Luis City Code § 2.05.520(A) applied; and

D. WHEREAS, the purpose of the present Resolution is to set an effective date of February 23, 2023, with the emergency findings under the law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of San Luis:

Section 1: Resolution No. 2254 removing the ninety-day (90-day) waiting period for temporary assignment pay under San Luis Policy § HR-3-03(L) shall take effect on February 23, 2023.

Section 2: The February 23, 2023, effective date means that:

(1) employees who are on temporary assignments who have not completed ninety (90) days on temporary assignment by February 23, 2023, may start receiving temporary assignment pay starting February 23, 2023; and

(2) employees who start a temporary assignment on or after February 23, 2023, may start receiving temporary assignment pay starting February 23, 2023,

(3) without the effective date of February 23, 2023, employees in the above situations would not start earning temporary assignment pay until March 24, 2023.

Section 3: City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

Section 4: If a conflict arises between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this resolution shall govern.

Section 5: If any section, subsection, sentence, clause phrase, or a portion of this resolution is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this resolution.

Section 6: Whereas it is necessary to preserve the peace, health, and safety of the City of San Luis, Arizona, an emergency is declared to exist, and this resolution shall become effective immediately so that Resolution No. 2054 takes effect on February 23, 2023.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____ day of March 2023.

NIEVES RIEDEL, MAYOR

ATTEST:

APPROVED AS TO FORM

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

NO. 2254

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE CITY OF SAN LUIS PERSONNEL POLICIES § HR-3-03(L) FOR ADDITIONAL COMPENSATION FOR REASSIGNMENTS TO BECOME EFFECTIVE ON THE DATE OF REASSIGNMENT RATHER THAN AFTER 90 DAYS OF THE EFFECTIVE DATE; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

BE IT RESOLVED by the Mayor and City Council of the City of San Luis, Arizona:

WHEREAS, the City of San Luis authorizes the City Manager to recommend to City Council that additional compensation for Temporary Assignments be effective on the effective date of the Temporary Assignment; and

WHEREAS, the Personnel Policies of 2008, HR-3-03(L), provides for employees to receive additional compensation when the employee is temporarily assigned to cover another position of higher or lower pay grade; and

WHEREAS, the policy indicates that employees shall remain at the employee's regular rate of pay; and

WHEREAS, the temporary assignment may last from a fraction of a day to three (3) months; and

WHEREAS, when an employee is assigned to a temporary assignment that lasts longer than three (3) months or of an indefinite nature where the supervisor cannot reasonably foresee an ending date for the assignment, the employee may receive the entry salary of the position or five percent (5%) increase from the employee's rate of pay, whichever is higher;

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of San Luis, State of Arizona, as follows:

Section 1: Personnel Policies of 2008, HR-3-03(L) is amended to read:

Temporary Assignments. An employee temporarily assigned to cover another position of higher or lower grade or assigned to assume some of the duties of

a higher or lower pay grade will receive additional compensation. The additional compensation will be equivalent to the beginning of the entry salary of the position or 5% increase of the employee's rate of pay, whichever is higher. The new rate will be effective on the date the temporary assignment begins. The new pay rate may not exceed the maximum rate of the new position salary range.

Section 2: City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

Section 3: If a conflict arises between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this resolution shall govern.

Section 4: If any section, subsection, sentence, clause phrase, or a portion of this resolution is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this resolution.

APPROVED, PASSED, and ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this ____ day of February 2023.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney