



Resolution

No. 2353

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, REDUCING THE CITY COUNCIL MEMBERS' PAY BY FIFTY PERCENT AND AMENDING THE CITY OF SAN LUIS PERSONNEL POLICIES TO REMOVE CITY COUNCIL MEMBERS FROM DENTAL AND VISION CARE COVERAGE PAID BY THE CITY; ESTABLISHING AN EFFECTIVE DATE; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, by resolution or ordinance, A.R.S. § 9-232.01 allows city councils to prescribe salaries for the mayor and council members for the performance of official duties; and

WHEREAS, the San Luis City Code § 2.05.240 states: "The compensation of elective officers of the city shall be fixed from time to time by resolution of the Council;" and

WHEREAS, the last time the Council passed a resolution on its salary was June 24, 2014, through Resolution No.1062; and

WHEREAS, the Council desires to reduce its salary;

WHEREAS, the Council passed Resolution No. 750 adopting the City of San Luis Personnel Policies dated July 1, 2008; and

WHEREAS, the Council desires to remove city-paid benefits for dental and vision care for the City Council.

WHEREAS, under Arizona Constitution Article 4, Part 2, Section 17, as interpreted by the case of Davis v. Hale, 96 Ariz 219, 225, 393 P.2d 912, 916 (1964), the compensation of a Council Member cannot be increased or diminished before the next election so that that Council Members doing in substance, the same work, should at all times receive the same salaries.

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

Section 1: The monthly salary to be paid to the Mayor, the Vice Mayor, and Members of the San Luis City Council shall be reduced fifty percent (50%) from the salary set by Resolution 1062 to be as follows:

The Office of the Mayor shall be paid the sum of \$875.00 per month.

The Office of the Vice Mayor shall be paid the sum of \$650 per month.

The Office of Council Member shall be paid the sum of \$450 per month.

Section 2 The City of San Luis Personnel Policies Section **HR-4-13(D)**. is amended and restated to read:

- (1) As listed in HR-4-13(A), the City Council Members may participate in the City of San Luis' qualifying health care medical insurance plan. If they choose to participate in the qualifying health care dental and vision insurance plans if the premiums are paid by the City Council Members and at no cost to the city.
- (2) As listed in HR-4-13(B), the City Council Members may participate in supplemental insurance plans or other qualifying insurance plans if the premiums are paid by the City Council Members and at no cost to the city.

Section 2: The City of San Luis Personnel Policies Section **HR-4-14(A)** is amended and restated to read:

A. Eligibility.

1. City Council Members are treated in subsection (3). All city employees, except those employees listed in subsection (2), and their eligible dependents may participate in the health benefit plan, if they comply with the contractual requirements of the selected health benefit plan. An eligible employee may enroll in a health benefit plan at any time within the first 30 days of employment or during an open enrollment period specified by the Plan. An eligible employee may submit an application for enrollment within 31 days of a family status event.
2. The following categories of employees are not eligible to participate in the health benefit plan:
 - a. An employee who works fewer than 31 hours per week;
 - b. An employee in a temporary, emergency, or seasonal position.
3. City Council Members and their eligible dependents may participate in qualifying health care plan for Medical Insurance, if they comply with the contractual requirements of the selected health benefit plan. A Council Member may enroll in a health benefit plan at any time within the first 30 days of their oath of office or during an open enrollment period specified by the Plan. A Council Member may submit an

application for enrollment within 31 days of a family status event. City Council Members may choose to participate in the qualifying health care dental and vision insurance plans if the premiums are paid by the City Council Members and at no cost to the city.

Section 3: This Resolution shall take effect on January 1, 2027, provided the Mayor and City Council Members elected in the 2026 election have taken their oaths of office.

Section 4: If a conflict arises between the provisions of this Resolution and any other ordinance, resolution, order, 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, paragraph, sentence clause, phrase, or portion of this Resolution is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction or controlling legislation, such decision or law shall not affect the validity of the remaining portion of this Resolution.

Section 6: The City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Resolution.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____ day of February 2025.

City of San Luis, Arizona

Nieves Riedel, Mayor

Attest:

Approved As to Form

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney