



Resolution

NO. 1052

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS DIRECTING THE CITY MANAGER TO ESTABLISH AND IMPLEMENT GUIDELINES AND A PLAN FOR REDUCTION IN FORCE PURSUANT TO PERSONNEL POLICIES; AUTHORIZING AND DIRECTING A PLAN FOR LAYOFFS AND CONVERSION OF POSITIONS WITHIN THE CLASSIFIED SERVICE OF THE CITY; TO AUTHORIZE THE TAKING OF SUCH OTHER ACTS AND ACTIONS AS MAY BE NEEDED AND/OR NECESSARY TO ENSURE THAT CITY EXPENSES DO NOT EXCEED CITY REVENUES; SUPERSEDING ANY CONFLICTING PROVISIONS OF EXISTING REGULATIONS, POLICIES OR PROCEDURES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

Whereas A.R.S. §42-17101 requires incorporated cities and towns, on or before the third Monday in July of each year to prepare a full and complete statement of political subdivision's financial affairs for the preceding fiscal year and an estimate of the different amounts required to meet the political subdivision's public expense for the current fiscal year and A.R.S. §42-17105 provides that the governing body of a municipality must adopt proposed estimates of revenues and expenses as the budget for the current fiscal year and the amounts proposed to be spent shall not exceed the amounts proposed in the estimates;

Whereas A.R.S. §42-17106 places limitations on expenditures and limits expenditures to budgeted purposes;

Whereas the proposed department budgets for fiscal year 2014/2015 exceed anticipated revenues by approximately twelve million dollars;

Whereas in order to provide for the most efficient delivery of service to the citizens of the City of San Luis in fiscal year 2014/2015, and to maintain sound financial structure for the city in its finances and operations; it has been determined that certain changes to the operations of the City of San Luis and a restructuring of the delivery of services has become immediately necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS:

Section 1: The City Manager is hereby directed and authorized to prepare and implement guidelines and a plan pursuant to Section 8.03 of the City of San Luis Personnel Policies, dated July 1, 2008, to layoff positions of up to ten (10) full time positions within the Classification and Salary Plan of the City of San Luis and to convert up to five (5) full time positions to part time positions, with the understanding that the total of laid off or converted positions shall not exceed a total of fifteen positions. That this authority shall include the authority to reassign duties, including supervisory duties, to remaining positions in order to provide for continuity of service. The Classification and Salary Plan is hereby amended to conform to said plan. The positions that will be subject to layoff and conversion are not being eliminated nor is this action to be considered an action of discipline, but rather this action is being taken solely as a budget measure in order to ensure that expected revenues for fiscal year 2014/2015 do not jeopardize the financial condition of the city. The period of layoff and conversion shall begin at such time as the plan is implemented by the City Manager and will last until further decision of the City Council. City Council, by this resolution, specifically reserves the right to make further decisions with respect to these positions as part of planning for fiscal year 2014/2015.

Section 2: The City Manager is hereby authorized and directed to take such steps as may be needed or necessary to reduce, suspend, or eliminate the accrual of overtime in all city departments, with the exception of overtime as actually paid by federal or state grants.

Section 3: The City Manager is authorized and directed to counsel with employees who may wish to seek early retirement or otherwise leave the city service and negotiate such severance or other agreements that he deems appropriate for the consideration of City Council.

Section 4: In the event of a conflict between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby provisionally amended, superseded, and replaced, and the provisions of this resolution shall govern. In making this provision it is the specific legislative intent of the City Council that the Personnel Policies of the City of San Luis, the Classification plan of the City of San Luis, the salary plan of the City of San Luis, and the salary administration regulations and policies of the City of San Luis are hereby amended, superseded and/or replaced by this resolution such that actions and plans authorized hereunder shall govern and supersede any and all existing policies, regulations, or plans so that the actions and plans authorized hereunder may be implemented, and that this is a non-appealable final legislative decision and action of the City Council of the City of San Luis.

Section 5: If any section, subsection, sentence, clause, phrase, or portion of this resolution is for any reason 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 portions of this resolution.

Section 6: Whereas, it is necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and for further reason that municipal services to the citizens of the City of San Luis may be provided in the most efficient manner possible

without interruption in service, as well as the financial consideration of the immediate need to ensure that expenditures do not exceed available funds for fiscal year 2014/2015, and that the best interests of the City require the provisions of this resolution to go into immediate effect, an emergency is hereby declared to exist, and this resolution shall become immediately operative and in force and effect from and after the date of posting hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 16th day of April, 2014.



Gerardo Sanchez, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Glenn J. Gimbut, City Attorney