



Resolution

RESOLUTION NO. 952

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS AMENDING SUBSECTIONS HR307-06-01.B.5; HR307-06-01.B.6, AND HR307-06-01.C OF THE TRAVEL POLICIES OF THE CITY OF SAN LUIS REGARDING TRAVEL ADVANCES; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

Whereas, the Travel Policies of the City of San Luis were adopted by Resolution No. 527; and

Whereas, the City Council desires to clarify and make certain that the duties to timely return excessive travel advances imposed by subsection HR307-06-01.B.5 are mandatory; and

Whereas, subsections HR307-06-01.B.6, HR307-06-01.C.2, and HR307-06-01.C.3 which provide for excessive travel advances to be deducted from payroll checks without right to notice or hearing is unconstitutional, and the City Council has determined that there is a need for a strong substitute enforcement mechanism;

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

Section 1: Subsection HR307-06-01.B.5 of the Travel Policies of the City of San Luis is hereby amended to read as follows:

5. Each traveler who receives a travel advance from City funds shall submit his/her travel claim no later than 10 working days after the last day of travel. If the travel advance exceeded the amount of travel expense incurred, payment in the form of cash, check, or money order from the traveler for the difference must accompany the travel claim.

Section 2: Subsection HR307-06-01.B.6 of the Travel Policies of the City of San Luis is hereby amended to read as follows:

6. If the traveler fails to submit a travel claim after receiving an advance, or fails to pay the difference if the travel advance exceeded the amount of travel expense advanced in accordance with subsection HR307-06-01.B.5 above, the matter shall be handled as follows: 1) if the offending traveler is an employee subject to the personnel policies of the city, said traveler shall be subject to discipline pursuant to said policies; 2) if the offending traveler is an employee or appointee that is not subject to the personnel policies, said traveler shall be subject to discipline by the City Council; and 3) if the offending traveler is a member of City Council, said traveler shall be referred to an outside agency for investigation and possible prosecution for any violations of law including, but not limited to, A.R.S. §9-304.

Section 3: Subsection HR307-06-01.C of the Travel Policies of the City of San Luis is hereby amended to read as follows:

C. Procedures.

1. Travel advance requests must be submitted on approved forms and authorized by the Finance Director prior to processing the advance.
2. To insure receipt of an advance before departure, the request should be received by the Finance Department at least two weeks prior to the date of departure. Advances will not be made sooner than five business days prior to departure.
 - i. If a travel claim is not filed within ten working days after the end of a trip, the amount advanced will be deemed repayable to the City in full, and the traveler shall reimburse the City in full at that time.
 - ii. If the travel claim expenses are less than the amount advanced, a payment by cash, check, or money order for the difference shall accompany the travel claim.
3. Any advances received for expenses determined ineligible for reimbursement in the travel claim must be reimbursed to the City within five working days.
4. Any reimbursements due from the traveler to the City that are not paid in a timely manner shall subject the traveler to the penalty provisions set forth in subsection HR307-06-01.B.6 above.

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 repealed, superceded, and replaced, and the provisions of this resolution shall govern.

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.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 14th day of September, 2011.

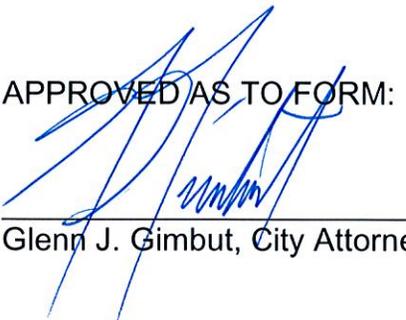


Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Cuello, City Clerk

APPROVED AS TO FORM:


Glenn J. Gimbut, City Attorney