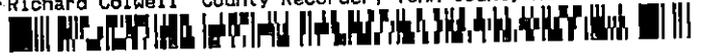


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2024-13513 RESOLUTION  
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**CAPTION HEADING:**

**RESOLUTION**

Resolution No. 2311

Correcting a scrivener's error Nunc Pro Tunc in Resolution Number 2310; repealing conflicting provisions; and providing for severability.



# *Resolution*

No. 2311

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, CORRECTING A SCRIVENER'S ERROR *NUNC PRO TUNC* IN RESOLUTION NUMBER 2310; REPEALING CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, on May 22, 2024, the City Council passed Resolution No. 2310, which established deadlines for pro and con statements on the Southwest Gas Franchise Agreement; and

**WHEREAS**, a typographical error, called scrivener error, was found after the May 22, 2024, Council meeting in the body of Resolution No. 2310, Section 1, where it referred to "Alternative Expenditure Limitation" rather than "Southwest Gas Franchise Agreement;" and

**WHEREAS**, the May 22, 2024, posted agenda listed Agenda Item No. 6. for the Alternative Expenditure Limitation, pro and con statements; and

**WHEREAS**, the item listed immediately following the Alternative Expenditure Limitation item was Item No. 6.E., which also dealt with pro and con statements, but for Southwest Gas Franchise Agreement; and

**WHEREAS**, the references to the Southwest Gas Franchise were written on the Agenda Item Review form No. 6.E. and in the caption for Resolution No. 2310; and

**WHEREAS**, at the Council Meeting on May 22, 2024, Item No. 6.E. was called immediately following Item No. 6.D. in order of the agenda, and the call was about Southwest Gas franchise, and the verbal presentation referenced the Southwest Gas franchise; and

**WHEREAS**, the purpose of this Resolution is to correct the written record for Section 1 of Resolution No. 2310 where the scrivener's error occurred;

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

**Section 1:** The City Council finds that a scrivener's error was made in Resolution No. 2310 in that (1) the mistake is clearly obvious a typographical error (also known as scrivener's error) in the drafting of the resolution, and (2) no one has relied upon the erroneous reference to "Alternative Expenditure Limitation" in Section 1 of Resolution No. 2310, nor will anyone be harmed by correcting the record.

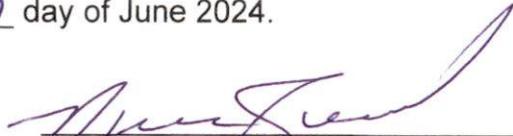
**Section 2:** The City Council orders by this Resolution that Section 1 of Resolution 2310 be corrected to the intended "Southwest Gas Franchise Agreement" replacing and superseding the words "Alternative Expenditure Limitation."

**Section 3:** The City Council authorizes and directs the appropriate City officers and employees to perform all necessary or desirable acts to give effect to this Resolution.

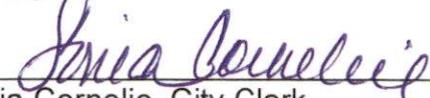
**Section 4:** If a conflict arises between the provisions of this resolution and any ordinance, other resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this Resolution shall govern.

**Section 5:** If any section, subsection, sentence, clause, phrase, or portion of Resolution No. 2243 is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction or operation of law by legislation, such decision or law shall not affect the validity of the remaining portion of this Resolution.

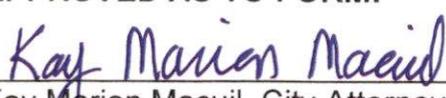
**PASSED, ADOPTED, and APPROVED** by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 5<sup>th</sup> day of June 2024.

  
\_\_\_\_\_  
Nieves Riedel, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kay Marion Macuil, City Attorney