



Resolution

No. 2329

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, CORRECTING SCRIVENER'S ERROR *NUNC PRO TUNC* IN RESOLUTION NUMBER 2259; REPEALING CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on March 22, 2023, the City Council passed Resolution No. 2259, established a five-year rate increase plan that was intended to help the water, wastewater, and solid waste enterprise funds become self-sustainable; and

WHEREAS, the five-year plan with adjustments became effective April 27, 2023 and January 1 of each year from 2024 to 2027; and

WHEREAS, a typographical error, called scrivener error, was found in the body of Resolution No. 2259 in Section 5, where it referred to "July" rather than "January,"

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. 2259 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 "July" in Section 5 of Resolution No. 2259, nor will anyone be harmed by correcting the record.

Section 2: The City Council orders by this Resolution that Section 5 of Resolution 2259 be corrected to the intended "January" replacing and superseding the word "July."

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any ordinance, other resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this Resolution shall govern.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. 2329 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 ____ day of July 2024.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney