

City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

Interoffice Memorandum

July 6, 2022

To: CITY COUNCIL

From: Camille Chavez, Assistant City Clerk **CC**

Subject: BILL NO. R-22-48; ENACTMENT NO. R-2022-054

I hereby certify that on July 6, 2022, the Office of the City Clerk received Bill R-22-48 as signed by the president of the City Council, Isaac Benton. Enactment No. R-2022-054 was passed at the June 22, 2022 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-22-48.

Sincerely,



Miriam Diemer
Deputy City Clerk

CITY OF ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-48

ENACTMENT NO. R-2022-054

SPONSORED BY: Dan Lewis

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RESOLUTION

2 APPROVING THE APPOINTMENT OF DIRECTOR TO FILL VACANCIES ON THE
3 GOVERNING BODY OF THE MONTECITO ESTATES PUBLIC IMPROVEMENT
4 DISTRICT, CAUSED BY THE LACK DECLARATION OF CANDIDATES TO
5 SERVE ON THE BOARD IN THE LOCAL ELECTION, PURSUANT TO THE
6 PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, §§ 5-11-1 TO -27 (2013,
7 AS AMENDED) AND CITY ORDINANCE ENACTMENT NO. 0-2003-12, COUNCIL
8 BILL NO. FS O-03-84; AND REPEALING ALL ACTIONS INCONSISTENT WITH
9 THIS RESOLUTION.

10 Capitalized terms used herein shall have the meanings assigned in City
11 Resolution Enactment No. R-2007-081 (the “District Formation Resolution”),
12 except as otherwise defined in this Resolution, or unless the context clearly
13 requires otherwise.

14 WHEREAS, the five District Board positions expired in 2021; and
15 WHEREAS, pursuant to the Local Election Act, the Board notified Bernalillo
16 County of the positions to be filled in the local election; and

17 WHEREAS, no qualified candidates submitted a declaration of candidacy
18 for the vacant positions; and

19 WHEREAS, pursuant to § 5-11-9(A) of the Act, the Council is empowered to
20 appoint a director to fill the vacancy on the Governing Body of the District,
21 which appointee shall hold office for the remainder of the unexpired term until
22 a successor is appointed or elected; and

23 WHEREAS, the Board has recruited a combination of existing Board
24 members, other City employees with financial, planning, and/or infrastructure
25 experience, and a local neighborhood representative to comprise the Board by
26 appointment of City Council.

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 Section 1. Appointment to the Governing Body of the District.

4 A. Pursuant to § 5-11-9(A) of the Act, the Council hereby appoints Tom
5 Menicucci and Jesse Muñiz as members of the Governing Body of the District,
6 for the unexpired terms of four years, which commenced January 1, 2022, or
7 until their successors are appointed or elected. Pursuant to § 5-11-9(A) of the
8 Act, the Council hereby appoints Lawrence Davis, Mikaela Renz-Whitemore,
9 and Robin Mitchell as members of the Governing Body of the District, for the
10 unexpired terms of six years, which commenced January 1, 2022, or until their
11 successors are appointed or elected.

12 Section 2. Repealer. All ordinances or resolutions, or parts thereof in
13 conflict with the provisions of this Resolution, are hereby repealed to the
14 extent only of such inconsistency. This repealer shall not be construed to
15 revive any ordinance or resolution, or part thereof, heretofore repealed.

16 **Section 3. Severability.** If any section, paragraph, clause or provision of
17 this Resolution shall for any reason be held to be invalid or unenforceable, the
18 invalidity or unenforceability of such section, paragraph, clause or provision
19 shall in no manner affect any remaining provisions of this Resolution.

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[Bracketed/Strikethrough Material] - Deletion

1 PASSED AND ADOPTED THIS 22nd DAY OF June, 2022
2 BY A VOTE OF: 8 FOR 1 AGAINST.
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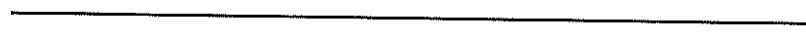
4 For: Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Peña, Sanchez
5 Against: Lewis
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10 Isaac Benton, President
11 City Council
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15 APPROVED THIS _____ DAY OF _____, 2022
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18 Bill No. R-22-48
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22 Timothy M. Keller, Mayor
23 City of Albuquerque
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27 ATTEST:
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30 Ethan Watson, City Clerk
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