

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-219 ENACTMENT NO. R-2021-089

SPONSORED BY: Don Harris, by request

RESOLUTION

APPROVING THE APPOINTMENT OF DIRECTORS TO FILL THE VACANCIES ON THE GOVERNING BODY OF THE JUAN TABO HILLS ESTATES PUBLIC IMPROVEMENT DISTRICT, CAUSED BY THE EXPIRATION OF TERMS OF DIRECTORS, PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978 § § 5-11-1 TO -27 (2019, AS AMENDED) AND CITY ENACTMENT NO. O-2003-12, CITY ENACTMENT NO R-2007-150, AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

Capitalized terms used herein shall have the meanings assigned in City Enactment No. R-2017-098, adopted on October 16, 2017, except as otherwise defined in this Resolution, or unless the context clearly requires otherwise.

WHEREAS, pursuant to Section 5-11-9(A) of the Act, the Council is empowered to appoint directors to fill vacancies on the governing body of the District because of death, resignation or inability of a director to discharge the duties of director, which appointee shall hold office for the remainder of the unexpired term until a successor is appointed or elected; and

WHEREAS, the terms of Scott Grady and Russell Brito, each serving four-year terms, have expired from the District's governing body; and

WHEREAS, such positions were submitted to be filled pursuant to the Local Election Act; and

WHEREAS, no person was declared as a candidate for either position by the applicable election deadlines, creating vacancies in such positions; and

WHEREAS, current board member Scott Grady and District constituent Jim Duffield have volunteered to serve the unexpired terms of such positions.

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

3 Section 1: Appointments to the Governing Body of the District. Pursuant to
4 Section 5-11-9(A) of the Act, the Council hereby appoints Scott Grady and Jim
5 Duffield as members of the governing body of the District effective January 1,
6 2022. Scott Grady and Jim Duffield shall hold office for such terms until their
7 successors are elected and qualified.

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9 conflict with the provisions of this Resolution, are hereby repealed to the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11 revive any ordinance or resolution, or part thereof, heretofore repealed.

12 Section 3. Severability. If any section, paragraph, clause or provision of
13 this Resolution shall for any reason be held to be invalid or unenforceable, the
14 invalidity or unenforceability of such section, paragraph, clause or provision
15 shall in no manner affect any remaining provisions of this Resolution.

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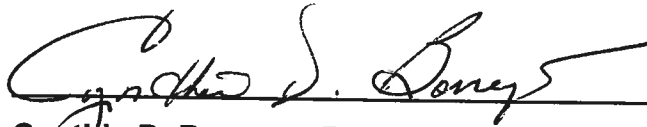
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1 PASSED AND ADOPTED THIS 6th DAY OF December, 2021
2 BY A VOTE OF: 8 FOR 0 AGAINST.
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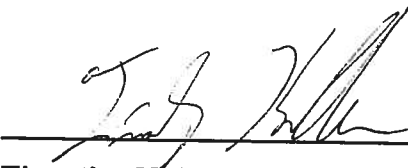
4 Excused: Benton
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9 Cynthia D. Borrego, President
10 City Council
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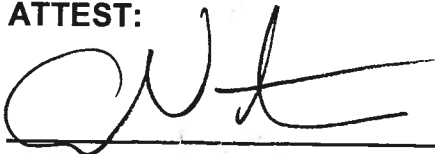
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14 APPROVED THIS 15 DAY OF December, 2021
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17 Bill No. R-21-219
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23 Timothy M. Keller, Mayor
24 City of Albuquerque
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28 ATTEST:
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31 Ethan Watson, City Clerk
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