

**CITY OF ALBUQUERQUE
TWENTY FIFTH COUNCIL**

COUNCIL BILL NO. R-22-48 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

1 **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 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 Muniz 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 his 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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