

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-51 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

1 RESOLUTION

2 APPROVING THE APPOINTMENT OF DIRECTORS TO FILL VACANCIES ON
3 THE GOVERNING BODY OF THE TRAILS PUBLIC IMPROVEMENT DISTRICT
4 CAUSED BY THE RESIGNATION OF CERTAIN DIRECTORS, PURSUANT TO
5 THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, SECTIONS 5-11-1
6 THROUGH 27, AS AMENDED, AND CITY ENACTMENT NO. O-2003-012; AND
7 REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

8 Capitalized terms used herein shall have the meanings assigned in City
9 Enactment No. 2008-019, adopted on February 4, 2008 (the "Formation
10 Resolution"), except as otherwise defined in this Resolution, or unless the
11 context clearly requires otherwise.

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

17 WHEREAS, John L. Murtagh and Kelly Calhoun have resigned from the
18 Governing Body of the District; and

19 WHEREAS, Stephanie Yara, CPA, CGFM, Director of Finance and
20 Administrative Services of the City, and Patrick Montoya, Director of
21 Department of Municipal Development of the City, have volunteered to serve
22 on the governing body of the District.

23 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
24 ALBUQUERQUE:

25 Section 1. Appointments to the Governing Body of the District. Pursuant
26 to 5-11-9(A) of the Act, the Council hereby appoints Stephanie Yara to replace

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1 John L. Murtagh as a member of the governing body of the District and Patrick
2 Montoya to replace Kelly Calhoun as a member of the governing body of the
3 District.

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5 conflict with the provisions of this Resolution are hereby repealed to the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7 revive any ordinance or resolution, or part thereof, heretofore repealed.

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