

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-52 ENACTMENT NO. _____

SPONSORED BY: Pat Davis

1 RESOLUTION

2 APPROVING THE APPOINTMENT OF A DIRECTOR TO FILL A VACANCY ON
3 THE GOVERNING BODY OF THE MESA DEL SOL PUBLIC IMPROVEMENT
4 DISTRICT 1 AND TO FILL A VACANCY ON THE GOVERNING BODY OF MESA
5 DEL SOL PUBLIC IMPROVEMENT DISTRICT 2 THROUGH 5 CAUSED BY THE
6 RESIGNATION OF A CERTAIN DIRECTOR, PURSUANT TO THE PUBLIC
7 IMPROVEMENT DISTRICT ACT, NMSA 1978, SECTIONS 5-11-1 THROUGH 27,
8 AS AMENDED, AND CITY ENACTMENT NO. O-2003-012; AND CITY
9 ENACTMENT NO R-2008-045; AND REPEALING ALL ACTIONS INCONSISTENT
10 WITH THIS RESOLUTION.

11 Capitalized terms used herein shall have the meanings assigned in City
12 Enactment No. R-2008-045, adopted on March 4, 2008 as amended by City
13 Enactment No. R-2012-089, adopted on September 17, 2012 (collectively, the
14 “Formation Resolution”), except as otherwise defined in this Resolution, or
15 unless the context clearly requires otherwise.

16 WHEREAS, Section 5-11-9(A) of the Act, the Council is empowered to
17 appoint a director to fill a vacancy on the Governing Bodies of the Districts
18 because of death, resignation or inability of a director to discharge the duties
19 of director, which appointee shall hold office for the remainder of the
20 unexpired term until a successor is appointed or elected; and

21 WHEREAS, Ernest L. Jenkins has resigned from the Governing Bodies of
22 the Districts; and

23 WHEREAS, Dave Mills, a constituent of the Districts, has volunteered to
24 serve on the Governing Bodies of the Districts.

25 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
26 ALBUQUERQUE:

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1 Section 1. Appointments to the Governing Bodies of the Districts.
2 Pursuant to Section 5-11-9(A) of the Act, the Council hereby appoints Dave
3 Mills to replace Ernest L. Jenkins as a member of the Government Bodies of
4 the Districts.

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6 conflict with the provisions of this Resolution, are hereby repealed to the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8 revive any ordinance or resolution, or part thereof, heretofore repealed.

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

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