

CITY OF ALBUQUERQUE

TWENTY-FIFTH COUNCIL

COUNCIL BILL NO. R-22-57 ENACTMENT NO. _____

SPONSORED BY: Louie Sanchez

1 RESOLUTION

2 APPROVING THE APPOINTMENT OF DIRECTOR TO FILL THE VACANCY ON
3 THE GOVERNING BODY OF THE INSPIRATION PUBLIC IMPROVEMENT
4 DISTRICT, CAUSED BY THE RESIGNATION OF A DIRECTOR, PURSUANT TO
5 THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, §§ 5-11-1 TO -27
6 (2013, AS AMENDED) AND CITY ORDINANCE ENACTMENT NO. 0-2003-12,
7 COUNCIL BILL NO. FS O-03-84; AND REPEALING ALL ACTIONS
8 INCONSISTENT WITH THIS RESOLUTION.

9 Capitalized terms used herein shall have the meanings assigned in City
10 Council Bill No. R-20-033, Enactment No. R-2020-038, adopted on April 20,
11 2020 and in the City Council bill amending the composition of the Governing
12 Body of the District, City Council Bill No. R-20-48, Enactment No. R-2020-052,
13 adopted on May 18, 2020 (collectively, the “District Formation Resolution”),
14 except as otherwise defined in this Resolution, or unless the context clearly
15 requires otherwise.

16 WHEREAS, pursuant to § 5-11-9(A) of the Act, the Council is empowered to
17 appoint a director to fill the vacancy on the Governing Body of the District
18 because of death, resignation or inability of the director to discharge the
19 duties 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, pursuant to Section 6.A of the District Formation Resolution,
22 David Newell was appointed to a six-year term to the Governing Body of the
23 District, which six-year term has not expired; and

24 WHEREAS, the District understands that on or about March 4, 2022, David
25 Newell resigned as a member of the Governing Body of the District.

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

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1 ALBUQUERQUE:

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

3 A. Pursuant to § 5-11-9(A) of the Act, the Council hereby appoints Evan
4 Perlman to replace David Newell as a member of the Governing Body of the
5 District. Evan Perlman shall hold office for the remainder of the unexpired six-
6 year term until his successor is appointed or elected.

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8 conflict with the provisions of this Resolution, are hereby repealed to the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10 revive any ordinance or resolution, or part thereof, heretofore repealed.

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

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