

CITY OF ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-25-140 ENACTMENT NO. _____

SPONSORED BY: Louie Sanchez

1 RESOLUTION
2 APPROVING THE APPOINTMENT OF DIRECTOR TO FILL VACANCIES ON THE
3 GOVERNING BODY OF THE LOWER PETROGLYPHS PUBLIC IMPROVEMENT
4 DISTRICT, CAUSED BY THE RESIGNATION OF BOARD MEMBERS,
5 PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, §§ 5-
6 11-1 TO -27 (2013, AS AMENDED) AND CITY ORDINANCE ENACTMENT NO. 0-
7 2003-12, 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 Resolution Enactment No. R-2013-059 (the “District Formation Resolution”),
11 except as otherwise defined in this Resolution, or unless the context clearly
12 requires otherwise.

13 WHEREAS, there are vacancies on the District Board caused by the
14 resignation of some members; and

15 WHEREAS, pursuant to § 5-11-9(A) of the Act, the Council is empowered to
16 appoint a director to fill the vacancy on the Governing Body of the District,
17 which appointee shall hold office for the remainder of the unexpired term until
18 a successor is appointed or elected.

19 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
20 ALBUQUERQUE THAT:

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

22 A. Pursuant to § 5-11-9(A) of the Act, the Council hereby appoints
23 Robert Messenger and Donna Sandoval as members of the Governing Body of
24 the District, for the unexpired term through December 31, 2025, or until their
25 successors are appointed or elected.

26 Section 2. Repealer. All ordinances or resolutions, or parts thereof in

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1 conflict with the provisions of this Resolution, are hereby repealed to the
2 extent only of such inconsistency. This repealer shall not be construed to
3 revive any ordinance or resolution, or part thereof, heretofore repealed.

4 **Section 3. Severability.** If any section, paragraph, clause or provision of
5 this Resolution shall for any reason be held to be invalid or unenforceable, the
6 invalidity or unenforceability of such section, paragraph, clause or provision
7 shall in no manner affect any remaining provisions of this Resolution.

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