CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

L DILL NO. D 20.42 ENACTMENT NO.
L BILL NO R-20-43 ENACTMENT NO
DRED BY: Cynthia D. Borrego
RESOLUTION
APPROVING THE APPOINTMENT OF A DIRECTOR TO FILL A VACANCY ON
THE GOVERNING BODY OF THE MONTECITO ESTATES PUBLIC
IMPROVEMENT DISTRICT, CAUSED BY THE RESIGNATION OF A DIRECTOR,
PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, §§ 5-
11-1 TO -27 (2009, AS AMENDED) AND CITY ENANCTMENTS NO. R-2007-081,
R-2009-075, R-2012-005, AND AND REPEALING ALL ACTIONS INCONSISTENT
WITH THIS RESOLUTION.
Capitalized terms used herein shall have the meanings assigned in City
Enactment No. R-2007-081, adopted on June 18, 2017 (the "Formation
Resolution"), except as otherwise defined in this Resolution, or unless the
context clearly requires otherwise.
WHEREAS, pursuant to Section 5-11-9(A) of the Act, the Council is
empowered to appoint a director to fill a vacancy on the governing body of the
District because of death, resignation or inability of a director to discharge the
duties of director, which appointee shall hold office for the remainder of the
unexpired term until a successor is appointed or elected; and
WHEREAS, Section 6.E of the Formation Resolution, City Enactment No.
R-2007-081, states that "within six years following the date of formation of the
District, either the District shall hold an election of members of the Governing
Body as required by law, or the City Council shall appoint five then-sitting
Councilors to serve as the Governing Body"; and
WHEREAS, an election of directors for the Montecito Estates Public
Improvement District was held on March 17, 2015, and Pamela Fanelli was
elected as a Director; and:

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Estates Public Improvement District by the Governing Body; and

WHEREAS, Pamela Fanelli was elected as Treasurer of the Montecito

		2	May 4, 2020.
		3	BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
		4	ALBUQUERQUE:
		5	Section 1. Appointments to the Governing Body of the District.
		6	Pursuant to Section 5-11-9(A) of the Act, the Council hereby appoints Jesse
		7	Muñiz to replace Pamela Fanelli as a member of the Governing Board of the
		8	District. Jesse Muñiz shall serve for the remainder of the unexpired six-year
		9	term until his successor is appointed or elected.
		10	Section 2. Repealer. All ordinances or resolutions, or parts thereof in
		11	conflict with the provisions of this Resolution, are hereby repealed to the
		12	extent only of such inconsistency. This repealer shall not be construed to
		13	revive any ordinance or resolution, or part thereof, heretofore repealed.
		14	Section 3. Severability. If any section, paragraph, clause or provision
		15	of this Resolution shall for any reason be held to be invalid or unenforceable,
		16	the invalidity or unenforceability of such section, paragraph, clause or
		17	provision shall in no manner affect any remaining provisions of this
_ 5	o	18	Resolution.
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WHEREAS, Pamela Fanelli resigned her position as Director effective