

# CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-219 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Don Harris, by request

1 RESOLUTION  
2 APPROVING THE APPOINTMENT OF DIRECTORS TO FILL THE VACANCIES  
3 ON THE GOVERNING BODY OF THE JUAN TABO HILLS ESTATES PUBLIC  
4 IMPROVEMENT DISTRICT, CAUSED BY THE EXPIRATION OF TERMS OF  
5 DIRECTORS, PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT,  
6 NMSA 1978 § § 5-11-1 TO -27 (2019, AS AMENDED) AND CITY ENACTMENT  
7 NO. O-2003-12, CITY ENACTMENT NO R-2007-150, AND REPEALING ALL  
8 ACTIONS INCONSISTENT WITH THIS RESOLUTION.

9 Capitalized terms used herein shall have the meanings assigned in City  
10 Enactment No. R-2017-098, adopted on October 16, 2017, except as otherwise  
11 defined in this Resolution, or unless the context clearly requires otherwise.

12 WHEREAS, pursuant to Section 5-11-9(A) of the Act, the Council is  
13 empowered to appoint directors to fill vacancies 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;

17 WHEREAS, the terms of Scott Grady and Russell Brito, each serving four-  
18 year terms, have expired from the District's governing body; and

19 WHEREAS, such positions were submitted to be filled pursuant to the  
20 Local Election Act:

21 WHEREAS, no person was declared as a candidate for either position by  
22 the applicable election deadlines, creating vacancies in such positions;

23 WHEREAS, current board member Scott Grady and District constituent Jim  
24 Duffield have volunteered to serve the unexpired terms of such positions.

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
2 ALBUQUERQUE:

3 Section 1: Appointments to the Governing Body of the District. Pursuant to  
4 Section 5-11-9(A) of the Act, the Council hereby appoints Scott Grady and Jim  
5 Duffield as members of the governing body of the District effective January 1,  
6 2022. Scott Grady and Jim Duffield shall hold office for such terms until their  
7 successors are elected and qualified.

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9 conflict with the provisions of this Resolution, are hereby repealed to the  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11 revive any ordinance or resolution, or part thereof, heretofore repealed.

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

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