



With This Resolution (Harris, by request)

APPROVING THE APPOINTMENT OF A DIRECTOR TO FILL THE VACANCY ON THE GOVERNING BODY OF THE VOLTERRA PUBLIC IMPROVEMENT DISTRICT, CAUSED BY THE RESIGNATION OF A CERTAIN DIRECTOR, PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978 § § 5-11-1 TO -27 (2019, AS AMENDED) AND CITY ENACTMENT NO. O-2003-12, CITY ENACTMENT NO R-2007-150, AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

Capitalized terms used herein shall have the meanings assigned in City Enactment No. R-2009-121, adopted on August 17, 2009, 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, Stephanie M. Yara has resigned from the District's governing body; and

WHEREAS, District constituent Ryan Giar has volunteered to serve the remainder term of such position.

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

Section 1: Appointments to the Governing Body of the District. Pursuant to Section 5-11-9(A) of the Act, the Council hereby appoints Ryan Giar to replace Stephanie M. Yara as a member of the governing body of the District. Ryan Giar shall hold office for the remainder of the unexpired term until his successor is elected and qualified.

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 All ordinances or resolutions, or parts thereof in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

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

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