



## Legislation Details (With Text)

**File #:** R-20-42  
**Type:** Resolution  
**Status:** Enacted  
**File created:** 5/4/2020  
**In control:** City Council  
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**Enactment date:** 6/2/2020  
**Enactment #:** R-2020-047  
**Title:** Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Boulders 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 Enactment No. R-2012-035; And Repealing All Actions Inconsistent With This Resolution (Borrego)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. R-42, 2. R-42Enacted

Date	Ver.	Action By	Action	Result
6/2/2020	2	City Clerk	Published	
5/29/2020	2	Mayor	Signed by the Mayor	
5/22/2020	2	City Council	Sent to Mayor for Signature	
5/18/2020	1	City Council	Passed	Pass
5/4/2020	1	President	To be heard at the Council Meeting	
5/4/2020	1	City Council	Introduced	

## CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-20-42 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Cynthia D. Borrego

### RESOLUTION

Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Boulders 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 Enactment No. R-2012-035; And Repealing All Actions Inconsistent With This Resolution  
(Borrego)

APPROVING THE APPOINTMENT OF A DIRECTOR TO FILL A VACANCY ON THE

GOVERNING BODY OF THE BOULDERS 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 ENACTMENT NO. R-2012-035; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION. Capitalized terms used herein shall have the meanings assigned in City Enactment No. R-2012-035, adopted on May 21, 2012 (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-2012-035, states that "within six years following the date of formation of the District, the District shall hold an election of members of the Governing Body in conformance with the Act and the PID Ordinance"; and

WHEREAS, an election of directors for the Boulders Public Improvement District was held on March 5, 2019, and Pamela Fanelli was elected as a Director; and

WHEREAS, Pamela Fanelli was elected as Treasurer of the Boulders Public Improvement District by the Governing Body; and

WHEREAS, Pamela Fanelli resigned her position as Director effective May 4, 2020.

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 Jesse Muñiz to replace Pamela Fanelli as a member of the Governing Board of the District. Jesse Muñiz shall serve for the remainder of the unexpired six-year term until his successor is appointed or elected.

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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