



Legislation Text

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CITY of ALBUQUERQUE
NINETEENTH COUNCIL

COUNCIL BILL NO. R-11-305 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis, by request

RESOLUTION

Approving The Appointment Of A Director And Officer To Fill The Vacancies On The Governing Body Of The Montecito Estates Public Improvement District, Caused By The Resignation Of A Director And The Expiration Of A Four-Year Term To The Governing Body (Lewis, by request)

APPROVING THE APPOINTMENT OF A DIRECTOR AND OFFICER TO FILL THE VACANCIES ON THE GOVERNING BODY OF THE MONTECITO ESTATES PUBLIC IMPROVEMENT DISTRICT, CAUSED BY THE RESIGNATION OF A DIRECTOR AND THE EXPIRATION OF A FOUR-YEAR TERM TO THE GOVERNING BODY, PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, §§ 5-11-1 TO -27 (2009, AS AMENDED) AND CITY ORDINANCE ENACTMENT NO. 0-2003-12, COUNCIL BILL NO. FS 0-03-84; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

Capitalized terms used herein shall have the meanings assigned in City Council Bill No. R-07-246, Enactment No. R-2007-081, adopted on June 18, 2007 (the "District Formation Resolution"), except as otherwise defined in this Resolution, or unless the context clearly requires otherwise.

WHEREAS, pursuant to § 5-11-9(A) of the Act, the Council is empowered to appoint a director to fill the vacancy on the Governing Body of the District because of death, resignation or inability of the 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, pursuant to § 5-11-6(A) of the Act, the Council is empowered to appoint a treasurer from the appointed members of the Governing Body of the District; and

WHEREAS, pursuant to Section 6.C of the District Formation Resolution, Jacques Blair was appointed to a four-year term to the Governing Body of the District, which was accepted and commenced on August 8, 2007 and which four-year term has now expired; and

WHEREAS, pursuant to Section 1.B of City Council Bill No. R-09-253, Enactment No. R-2009-075, adopted on June 2, 2009, Greg Stricklin was appointed to hold office as Director and District Treasurer for the remainder of Robert Young's initial four-year term to the Governing Body of the District, as described in Section 6.C of the District Formation Resolution, which four-year term has now expired; and

WHEREAS, pursuant to Section 6.B of the District Formation Resolution, Michael Cadigan was appointed to a six-year term to the Governing Body of the District, which six-year term has not expired; and

WHEREAS, the District understands that on or about November 30, 2009 Michael Cadigan resigned as a member of the Governing Body of the District.

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

Section 1. Appointments to the Governing Body of the District.

A. Pursuant to § 5-11-9(A) of the Act, the Council hereby appoints Jacques Blair to replace Michael Cadigan as a member of the Governing Body of the District. Jacques Blair, who previously served a four-year term that has expired, shall hold his newly appointed office for the remainder of the unexpired six-year term until his successor is appointed or elected.

B. Pursuant to § 5-11-6(A) of the Act, the Council hereby appoints Christopher Daniel, a current member of the Governing Body of the District, to replace Greg Stricklin as Treasurer of the District. Christopher Daniel shall hold office for the remainder of the unexpired 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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