



Legislation Text

File #: R-22-51, Version: 2

**CITY of ALBUQUERQUE**  
**TWENTY FIFTH COUNCIL**

COUNCIL BILL NO. R-22-51 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis

RESOLUTION

Approving The Appointment Of Directors To Fill Vacancies On The Governing Body Of The Trails Public Improvement District Caused By The Resignation Of Certain Directors, Pursuant To The Public Improvement District Act, NMSA 1978, Sections 5-11-1 Through 27, As Amended, And City Enactment No. O-2003-012; And Repealing All Actions Inconsistent With This Resolution (Lewis)

APPROVING THE APPOINTMENT OF DIRECTORS TO FILL VACANCIES ON THE GOVERNING BODY OF THE TRAILS PUBLIC IMPROVEMENT DISTRICT CAUSED BY THE RESIGNATION OF CERTAIN DIRECTORS, PURSUANT TO THE PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, SECTIONS 5-11-1 THROUGH 27, AS AMENDED, AND CITY ENACTMENT NO. O-2003-012; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

Capitalized terms used herein shall have the meanings assigned in City Enactment No. 2008-019, adopted on February 4, 2008 (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, John L. Murtagh and Kelly Calhoun have resigned from the Governing Body of the District; and

WHEREAS, Stephanie Yara, CPA, CGFM, Director of Finance and Administrative Services of the City, and Patrick Montoya, Director of Department of Municipal Development of the City, have volunteered to serve on 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. Pursuant to 5-11-9(A) of the Act, the Council hereby appoints Stephanie Yara to replace John L. Murtagh as a member of the governing body of the District and Patrick Montoya to replace Kelly Calhoun as a member of the governing body of the District.

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 All ordinances or resolutions, or parts thereof in conflict with the provisions of this Resolution are hereby repealed to the extent only of such inconsistency.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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