

CITY of ALBUQUERQUE

TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-42 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

1 RESOLUTION
2 APPROVING THE APPOINTMENT OF DIRECTORS TO FILL VACANCIES ON
3 THE GOVERNING BODY OF THE SALTILLO PUBLIC IMPROVEMENT DISTRICT
4 CAUSED BY THE RESIGNATIONS OF DIRECTORS, PURSUANT TO THE
5 PUBLIC IMPROVEMENT DISTRICT ACT, NMSA 1978, SECTIONS 5-11-1
6 THROUGH 27, AS AMENDED, AND ROA 1994, SECTIONS 6-9-1 THROUGH 7;
7 AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

8 Capitalized terms used herein shall have the meanings assigned in Section
9 1-15-1 of the Albuquerque Code of Resolutions (the "Saltillo Formation
10 Resolution"), except as otherwise defined in this Resolution, or unless the
11 context clearly requires otherwise.

12 WHEREAS, Pursuant to NMSA 1978, Section 5-11-9(A): "[t]he governing
13 body, at its option, may authorize the appointment of a separate district board.
14 In the case of an appointed district board, three of the appointed directors
15 shall serve an initial term to expire following a regular local election and not to
16 exceed six years. Two of the appointed directors shall serve an initial term to
17 expire following a regular local election and not to exceed four years. The
18 resolution forming the district shall state which directors shall serve the
19 longer terms and which shall serve the shorter terms. If a vacancy occurs on
20 the district board because of death, resignation or inability of the director to
21 discharge the duties of director, the governing body shall appoint a director to
22 fill the vacancy, who shall hold office for the remainder of the unexpired term
23 until a successor is appointed or elected"; and

24 WHEREAS, NMSA 1978, Section 5-11-9(B) provides that: "[a]t the end of the
25 appointed directors' terms, the governing body shall resume governance of
26 the district as its board either directly or through the governing body's

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 designees or, at the governing body's option, shall hold an election of new
2 directors by majority vote of the qualified electors"; and

3 WHEREAS, Section 1-15-1(H)(5) of the Saltillo Formation Resolution
4 provides that "within six years following the date of formation of the District,
5 the District will hold an election of members of the governing body of the
6 District as required by law, unless no District Bonds are then outstanding, in
7 which case, the Council may, at the request of the District, appoint five then-
8 sitting City Councilors to serve as the governing body"; and

9 WHEREAS, on March 5, 2019, pursuant to the foregoing provisions, the
10 District held an election to replace all five seats on the Governing Board of the
11 Saltillo Public Improvement District with new directors (the "Election"); and

12 WHEREAS, following the Election, the Governing Board had been
13 comprised of five members: Shanna Schultz, Cilia Agliodoro, Jeffrey Hertz,
14 Patrick Montoya, and Vicente Quevedo; and

15 WHEREAS, Patrick Montoya resigned and was replaced by Jennifer Turner,
16 Director of Department of Municipal Development of the City, in May 2025; and

17 WHEREAS, Shanna Schultz, Cilia Agliodoro, and Vicente Quevedo have also
18 resigned from the Governing Body of the District; and

19 WHEREAS, Donna Sandoval, Director of Finance and Administrative
20 Services of the City; Victor Hall, Associate Counsel for Council Services; and
21 Kenneth E. Scott Jr., City Treasurer have volunteered to serve on the
22 Governing Body of the District.

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

25 SECTION 1. Appointments to the Governing Body of the District. Pursuant
26 to NMSA 1978, Section 5-11-9(A), the Council hereby appoints Donna
27 Sandoval to replace Cilia Agliodoro as a member of the Governing Body of the
28 District; appoints Victor Hall to replace Shanna Schultz as a member of the
29 Governing Body of the District; and Kenneth E. Scott Jr. to replace Vicente
30 Quevedo as a member of the Governing Body of the District.

31 SECTION 2. Repealer. All ordinances, resolutions, or parts thereof in
32 conflict with the provisions of this Resolution are hereby repealed only to the

1 extent of such inconsistency. This repealer shall not be construed to revive
2 any ordinance or resolution, or part thereof, heretofore repealed.

3 SECTION 3. Severability. If any section, paragraph, sentence, clause, word
4 or phrase of this Resolution is for any reason held to be invalid or
5 unenforceable by any court of competent jurisdiction, such decision shall not
6 affect the validity of the remaining provisions of this Resolution. The Council
7 hereby declares that it would have passed this Resolution and each section,
8 paragraph, sentence, clause, word or phrase thereof irrespective

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion