

AMENDED RESOLUTION AND PROCLAMATION OF SPECIAL
SCHOOL BOND ELECTION, AND SPECIAL PUBLIC SCHOOL CAPITAL
IMPROVEMENTS TAX ELECTION

WHEREAS, the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District,” respectively), in the Counties of Doña Ana and Otero and the State of New Mexico, has determined that a special school bond election and a special public school capital improvements tax election (“Election”) be held on the 6th day of February, 2018, pursuant to the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19, NMSA 1978, §§ 22-18-1 through 22-18-8 of the Public School Code, NMSA 1978, Chapter 22 [except Article 5A], and the Public School Capital Improvements Tax Act, NMSA 1978, §§ 22-25-1 through 22-25-11;

WHEREAS, the Board has determined upon its own initiative to submit to vote at the Election, the question of the issuance of its general obligation bonds in the maximum amount and for the purpose hereinafter specified, as permitted by NMSA 1978, § 22-18-2(B), and the Bond Election Act;

WHEREAS, neither the bond question herein submitted, nor any other school bond question has been defeated by the voters of the District at a school bond election held within a period of two years prior to the date of the Election;

WHEREAS, pursuant to NMSA 1978, § 22-25-3, the Board has determined and does hereby determine that there should be submitted to the electorate at the Election the question of whether a property tax of \$2.00 on each \$1,000.00 of net taxable value of property allocated to the District under the Property Tax Code, NMSA 1978, Chapter 7, Articles 35 through 38, should be imposed for the property tax years 2018, 2019, 2020, 2021, 2022, and 2023, for the purpose of capital improvements in the District; and

WHEREAS, pursuant to NMSA 1978, § 22-25-3, the Anthony Charter School, has timely provided to the District the following proposed capital improvements of the charter school to be made with the revenue proposed to be produced from the Capital Improvements tax, if authorized by a majority of the qualified registered electors at the Election: paving of the school entryway and parking lot; campus beautification including the completion of shade structures with sheet metal; acquisition of an outdoor self-contained bathroom trailer; installation of four outdoor water fountains; and enclosing the school basketball court with chain-link fence.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE GADSDEN INDEPENDENT SCHOOL DISTRICT NO. 16, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT, IN THE COUNTIES OF DOÑA ANA AND OTERO AND THE STATE OF NEW MEXICO:

Section 1. On the 6th day of February, 2018, there will be held in the Gadsden Independent School District No. 16, Doña Ana and Otero Counties, New Mexico, a special school bond election for the purpose of submitting to the qualified registered

electors of the District the question of creating debt by the issuing of general obligation bonds, and a special public school capital improvements tax election for the purpose of submitting to the qualified registered electors of the District the question of whether a property tax should be imposed for the purpose of capital improvements in the District and to the Anthony Charter School.

Section 2. At the Election, the following question shall be submitted to the qualified registered electors of the District:

GENERAL OBLIGATION SCHOOL BOND QUESTION

Shall the Board of Education of the Gadsden Independent School District No. 16, Counties of Doña Ana and Otero, State of New Mexico, be authorized to issue general obligation bonds of the District, in one series or more, in the aggregate principal amount not exceeding \$38,000,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings, purchasing or improving school grounds, purchasing computer software and hardware for student use in public schools, providing matching funds for capital outlay projects funded pursuant to the Public School Capital Outlay Act; or any combination of these purposes, said bonds to be payable from general (*ad valorem*) taxes and to be issued and sold at such time or times upon such terms and conditions as the Board may determine?

Section 3. At the Election, the following question also shall be submitted to the qualified registered electors of the District:

PUBLIC SCHOOL CAPITAL IMPROVEMENTS (2 MILL) TAX QUESTION

Shall the Board of Education of the Gadsden Independent School District No. 16 Counties of Doña Ana and Otero, State of New Mexico, be authorized to impose a property tax of \$2.00 on each \$1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2018, 2019, 2020, 2021, 2022 and 2023, for capital improvements in the District and to the Anthony Charter School including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act Chapter 6, Article 15A NMSA 1978, or the Public School Lease Purchase Act, Chapter 22, Article 26A NMSA 1978 but excluding any other debt service expenses, for: erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings; purchasing or improving public school grounds; maintenance of public school buildings or public school grounds, including the purchasing or repairing of maintenance equipment and participating in the facility information management system as required by the Public School Capital Outlay Act and including payments under contracts with regional education cooperatives for maintenance support services and expenditures for technical training and certification for maintenance and facilities management personnel, but excluding salary

expenses of District employees; purchasing activity vehicles for transporting students to extracurricular school activities; purchasing computer software and hardware for student use in public school classrooms; and purchasing and installing education technology improvements, excluding salary expenses of school district employees, but including tools used in the educational process that constitute learning and administrative resources, and which may also include: satellite, copper and fiber-optic transmission; computer and network connection devices; digital communication equipment, including voice, video and data equipment; servers; switches; portable media devices, such as discs and drives to contain data for electronic storage and playback; and the purchase or lease of software licenses or other technologies and services, maintenance, equipment and computer infrastructure information, techniques and tools used to implement technology in schools and related facilities; and improvements, alterations and modifications to, or expansions of, existing buildings or tangible personal property necessary or advisable to house or otherwise accommodate any of the tools listed in this paragraph?

Section 4. The taxes contemplated by the public school capital improvements tax question shall be in addition to any tax imposed to pay debt service on any outstanding bonds or for any other purpose. Such taxes shall be authorized pursuant to the Public School Capital Improvements Act. The taxes contemplated by the general obligation school bond question shall be in addition to any tax imposed to pay debt service on any outstanding bonds or for any other purpose and shall be authorized pursuant to the Bond Election Act.

Section 5. A person is a qualified elector of the District if on the day of the Election he or she is a citizen of the United States, at least 18 years of age, and a resident of the District. In order to vote, qualified electors of the District must have previously registered with the Doña Ana County Clerk, the Otero County Clerk, or any voter registration agent, in accordance with law. Any qualified elector of the District who is not now registered and who wishes to vote at the Election should register prior to 5:00 p.m. on January 9, 2018, being the twenty-eighth (28th) day immediately preceding the Election, during regular business hours and days of business, at the office of the Doña Ana County Clerk at the Doña Ana County Government Center, in Las Cruces, New Mexico, at the office of the Otero County Clerk at the Otero County Courthouse, in Alamogordo, New Mexico, or by any voter registration agent at a designated agency, as provided in NMSA 1978, §§ 1-4-48 and 1-4-49.

Section 6. The polls for the Election will be open between 7:00 a.m. and 7:00 p.m. on the day of the Election.

Section 7. The Voting Districts and voting centers for the Election shall be as follows:

<u>Voting District</u>	<u>Election Precinct</u>	<u>Voting Center</u>
1	Precinct 13 and 97	Desert View Elementary 1105 Valle Vista Sunland Park, NM 88063
2	Precinct 14	Santa Teresa Middle School 4800 McNutt Road Sunland Park, NM
	Precincts 15, 16, and 81	La Union Elementary School 875 Mercantile Avenue La Union, NM
3	For voters who vote in Gadsden District part of Precinct 19, and part of Precinct 82	North Valley Elementary School 300 Cascade Avenue San Miguel, NM
	For voters who vote in Gadsden District part of Precinct 82, and Precinct 17	Northern On Track Pre-K Center 253 E. Chimuri Street La Mesa, NM
	Precincts 9 and 10	Berino Elementary School 92 Shrode Road Anthony, NM
	For voters who vote in Gadsden District part of Precinct 6, 74, 79, 96, and part of 120. Precinct 8	Mesquite Elementary School 205 NM Hwy 228 Mesquite, NM
4	Precincts 11, 12, and 80	Anthony Elementary School 600 N. Fourth Street Anthony, NM
5	For voters who vote in Gadsden District part of Precinct 6 and part of 74; Precincts 75 and 76; Otero Precinct 1, Precinct 41, and part of 35 within the Gadsden District	Chaparral Middle School 290 E. Lisa Dr. Chaparral, NM

Electors may vote at any of the Voting Center Locations on Election Day.

The Absentee Voters Precinct will be as described in Section 9 herein.

Section 8. Voting on the day of the Election shall be by a voting system defined in NMSA 1978, Section 1-9-1(B). At least one voting system shall be used at the polling place for each Voting District.

Section 9. Pursuant to the Absent Voter Act, NMSA 1978, §§ 1-6-1 through 1-6-18, the Absent Voter Precinct Act, NMSA 1978, §§ 1-6-19 through 1-6-23, and NMSA 1978, § 1-22-19, qualified registered electors may also vote absentee at the office of the Doña Ana County Clerk during regular hours and days of business, from 8:00 a.m. on January 12, 2018, being the twenty-fifth (25th) day preceding the Election, until 5:00 p.m. on February 2, 2018, being the Friday immediately prior to the Election. Pursuant to the Uniform Military and Overseas Voters Act, NMSA 1978, §§ 1-6B-1 through 1-6B-17, a federal qualified voter or overseas voter may vote absentee as provided in that law. Absentee voting shall be by paper ballot, pursuant to NMSA 1978, §§ 1-6-8, 1-6-9, and 1-22-19, or by the procedures authorized by the Uniform Military and Overseas Voters Act.

PASSED AND ADOPTED this 9th day of November, 2017.

President, Board of Education

[District Seal]

Attest:

Secretary, Board of Education