

STATE OF NEW MEXICO §
 §
COUNTIES OF DOÑA ANA §
AND OTERO §
 §
GADSDEN INDEPENDENT §
SCHOOL DISTRICT NO. 16 §

The Board of Education of the Gadsden Independent School District No. 16 ("Board") in the Counties of Doña Ana and Otero, and State of New Mexico, met in regular session, in full conformity with law and the rules and regulations of the Board, at the Gadsden High School Cafeteria, Gadsden, New Mexico, on the 10th day of November 2005 at the hour of 5:00 p.m. The duly elected officers and members of the Board were as follows:

President: Luz Vargas
Vice President: James Dino Anastasia
Secretary: Gregg Martinez
Members: Fred Garza
 Maria Saenz

Upon roll call, the following members of the Board were found to be present:

Present: _____

The following members of the Board of Education were found to be absent:

Absent: _____

In addition, Acting Superintendent Agueda Mora was present.

Acting Superintendent Mora thereupon introduced the preamble and resolution entitled as follows and recommended its adoption by the Board:

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

Member _____ then moved the adoption of the foregoing entitled resolution.
Member _____ seconded such motion. The motion to adopt said resolution
was thereupon put to a vote and was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

Acting Superintendent Agueda Mora thereupon introduced the preamble and
resolution entitled as follows and recommended its adoption by the Board:

**RESOLUTION AUTHORIZING AND DIRECTING
SCHOOL ELECTION PROCEDURES**

Member _____ then moved the adoption of the foregoing entitled resolution,
which motion was duly seconded by Member _____, and upon being put to
a vote was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

After consideration of other business not related hereto, on motion duly made,
seconded, and carried, the meeting was adjourned.

Dated at Santa Theresa, New Mexico, this 10th day of November 2005.

President, Board of Education

Attest:

Secretary, Board of Education

[SEAL]

**RESOLUTION AND PROCLAMATION OF
SPECIAL SCHOOL BOND ELECTION AND
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 State of New Mexico, has determined that a Special School Bond Election and Capital Improvements Tax Election, ("Election") be held on February 7, 2006, pursuant to the School Election Law, NMSA 1978, Sections 1-22-1 through 1-22-19; and

WHEREAS, the Board of the District has determined upon its own initiative to submit to a vote at the Election, the question of the issuance of its general obligation bonds in the maximum amount of \$38,000,000 and for the purpose hereinafter specified, as permitted by NMSA 1978, Section 22-18-2B, and the Bond Election Act, NMSA 1978, Sections 6-15-23 through 6-15-28; and

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

WHEREAS, pursuant to NMSA 1978, Section 22-25-3, the Board has determined, and does hereby determine, that there should be submitted to the electorate at said Election, the question of whether or not a property tax of \$2.00 per each \$1,000.00 of net taxable value of property allocated to the District under the Property Tax Code should be imposed for the property tax years of 2006, 2007, 2008, 2009, 2010, and 2011, for the purpose of capital improvements in the District.

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 STATE OF NEW MEXICO:

Section 1. On the 7th day of February 2006, there will be held in the District, a special school district election for the purpose of submitting to the qualified electors of the District the question of creating a debt by the issuing of general obligation bonds and for the purpose of submitting to the qualified electors of the District the question of whether or not a property tax should be imposed for the purpose of capital improvements in the District.

Section 2. The Voting Districts for the Election are as follows:

<u>Precinct No.</u>	<u>Precinct Name</u>	<u>Location</u>	<u>Address</u>
8	Mesquite South	Del Cerro Community Center	180 La Fe Mesquite, NM
9	Berino	Berino Elementary School	92 Shrode Rd. Berino, NM
10	Berino South	Berino Elementary School	92 Shrode Rd. Berino, NM
11	Anthony North	Anthony Elementary School	600 Fourth St. Anthony, NM
12	Anthony West	Anthony Community Center	875 N. Main Anthony, NM
13	Sunland Park West	Riverside Elementary School	9001 McNutt Rd. Sunland Park, NM
14	Santa Theresa	Santa Theresa Middle School	4800 McNutt Rd. Santa Theresa, NM
15	La Union	La Union Elementary School	875 Mercantile Anthony, NM
16	Chamberino	Chamberino Fire Station	301 S. Medina Rd. Chamberino, NM
17	La Mesa	La Mesa Elementary School	253 Chimuri St. La Mesa, NM
74	Chaparral West	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
75	Chaparral North	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
76	Chaparral South	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
79	Mesquite North	Mesquite Elementary School	205 NM Hwy. 228 Mesquite, NM

<u>Precinct No.</u>	<u>Precinct Name</u>	<u>Location</u>	<u>Address</u>
80	Anthony South	Anthony Elementary School	600 N. Fourth St Anthony, NM
81	Westside	La Union Elementary School	875 Mercantile Anthony, NM
82	San Miguel	San Miguel Elementary School	2160 Hwy. 192 San Miguel, NM
97	Sunland Park East	Sunland Park Library	984 McNutt Rd. Sunland Park, NM

In addition, there will be an Absentee Voter District as described in Section 7 herein.

Section 3. The polls for the Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of the Election.

Section 4. At the Election, the following question shall be submitted to such qualified, registered electors of the District:

GENERAL OBLIGATION 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 of not exceeding \$38,000,000 for the purpose of erecting, remodeling, making additions to and furnishing school buildings and purchasing or improving school grounds and purchasing computer software and hardware for student use in public school classrooms, 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?"

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

PUBLIC SCHOOL CAPITAL IMPROVEMENTS 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 per each \$1,000.00 of net taxable value of the property allocated to such District under the Property Tax Code for the property tax years of 2006, 2007, 2008, 2009, 2010 and 2011 for the purpose of the following capital improvements in the District: erecting, remodeling, making additions to, providing equipment for and furnishing school buildings; purchasing or improving school grounds; and purchasing computer software and hardware for student use in public school classrooms; maintenance of public school buildings and public school grounds exclusive of salary expenses of employees of the District; and purchasing activity vehicles for transporting students to extracurricular school activities?"

Section 5. The tax contemplated by the capital improvements tax question shall be in addition to the tax contemplated by the bond question and to any tax imposed to pay debt service on the bonds, or for any other purpose. Such capital improvements tax shall be authorized pursuant to the Public School Capital Improvements Act, *i.e.*, NMSA 1978, Sections 22-25-1 through 22-25-10.

Section 6. A person is a qualified elector of the District if on the day of 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 County Clerk of Doña Ana County, or the County Clerk of Otero County 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 during regular office hours prior to 5:00 p.m. on January 10, 2006, being the twenty-eighth day immediately preceding the Election at the office of the County Clerk of Doña Ana County, Doña Ana County Courthouse, Las Cruces, New Mexico, or, the County Clerk of Otero County, Otero County Courthouse, Alamogordo, New Mexico, or by any registration agent at a designated agency as provided in NMSA 1978, Sections 1-4-47 and 1-4-48.

Section 7. Absentee voting will be permitted in the manner authorized by NMSA 1978, Sections 1-6-1 *et seq.*; provided, however, that pursuant to NMSA 1978, Section 1-22-19, qualified electors may also vote absentee in person at the office of the County Clerk of Doña Ana County, during the regular hours and days of business from 8:00 a.m., January 13, 2006, being the twenty-fifth day preceding the Election, until 5:00 p.m., February 3, 2006, being the Friday immediately prior to the Election.

Section 8. Voting on election day and absentee voting in person, as provided in Section 6 above, shall be by a voting system, defined in NMSA 1978, Sections 1-9-1 *et seq.* Other absentee voting shall be by paper ballot. At least one voting system shall be used at the polling place for each Voting District.

PASSED AND ADOPTED this 10th day of November 2005.

President, Board of Education

[SEAL]

Attest:

Secretary, Board of Education

RESOLUTION AUTHORIZING AND DIRECTING SCHOOL ELECTION PROCEDURES

WHEREAS, the Board of Education of the Gadsden Independent School District No. 16 ("Board" and "District," respectively) on its own motion has by its Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election, adopted this 10th day of November 2005, ordered that at the election to be held within the District, Doña Ana and Otero Counties, New Mexico, on the 7th day of February 2006 ("Election"), there shall be submitted to the qualified registered electors of the District, the question of issuing the District's general obligation bonds in an amount of not exceeding \$38,000,000 for the purpose of erecting, remodeling, making additions to and furnishing school buildings and purchasing or improving school grounds and purchasing computer software and hardware for student use in public school classrooms, providing matching funds for capital outlay projects funded pursuant to the Public School Capital Outlay Act or any combination thereof and the question of imposing a public school capital improvements tax.

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

Section 1. The Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election, previously adopted on November 10, 2005, shall be published in Public Proclamation form twice in full, in English and Spanish, in the Albuquerque Journal, Albuquerque, New Mexico, being the legal newspaper having general circulation within the District. The two publications shall be made before December 19, 2005, which is 50 days before the date of the Election. In addition, there shall be published a school election notice meeting the requirements of NMSA 1978, Section 1-22-11, made once a week for two successive weeks, with the last publication being made within seven days but not later than two days before the date of the Election. The proper filing officer shall include each question to be submitted to the voters of the District and the names of the precinct board members of the District, in such notice.

Section 2. The Superintendent of Schools of the District ("Superintendent") shall forthwith file said Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election, with the County Clerk of Doña Ana County as the county clerk of record ("County Clerk of Record"), who also shall serve as administrator of the Election, pursuant to NMSA 1978, Section 1-22-12, and who shall be responsible for publishing the proclamation as described above. The Superintendent shall also obtain from said County Clerk of Record executed copies of the Certificate of Filing of Resolution and Proclamation of Election.

Section 3. Pursuant to NMSA 1978, Section 1-22-10, the County Clerk of Record

shall prepare the ballots for the Election, which shall be printed by the thirtieth (30th) day preceding the Election. The cost of printing the ballots shall be paid by the District. The printed ballot shall contain the questions to be submitted to the registered qualified electors of the District, as more fully described in Section 4 below.

Section 4. The voting systems to be used shall carry a ballot label to be the submission clause for the bond question and the tax question set forth in the form demonstrated in Section 4 of the Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election and shall be printed in English and Spanish with plain, clear type in black ink on white material of such size as will be compatible with the voting systems. The complete bond question and tax question to be submitted, in English and Spanish, shall be placed near the voting systems in plain view of the qualified voters, so that the complete questions may be examined before they vote. The ballot labels for the bond question and the tax question shall be in substantially the following form:

GENERAL OBLIGATION BOND QUESTION

FOR THE SCHOOL
DISTRICT BONDS

"Shall the Board of Education of the Gadsden Independent School District No. 16, Counties of Doña Ana and Otero and State of New Mexico, be authorized to issue general obligation bonds of the District, in one series or more, in the aggregate principal amount of not exceeding \$38,000,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings and purchasing or improving school grounds and purchasing computer software and hardware for student use in public school classrooms, 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?"

AGAINST THE SCHOOL
DISTRICT BONDS

PUBLIC SCHOOL CAPITAL IMPROVEMENTS TAX QUESTION

FOR THE PUBLIC
SCHOOL CAPITAL
IMPROVEMENTS TAX

"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 per each \$1,000.00 of net taxable value of the property allocated to such District under the Property Tax Code for the property tax years of 2006, 2007, 2008, 2009, 2010 and 2011 for the purpose of the following capital improvements in the District: erecting, remodeling, making additions to, providing equipment for and furnishing school buildings; purchasing or improving school grounds; and purchasing computer software and hardware for student use in public school classrooms; maintenance of public school buildings and public school grounds, exclusive of salary expenses of employees of the District; and purchasing activity vehicles for transporting students to extracurricular school activities?"

AGAINST THE PUBLIC
SCHOOL CAPITAL
IMPROVEMENTS TAX

Section 5. The County Clerk of Record is requested to provide the required quantity of paper ballots for use in the Election, pursuant to law.

Section 6. Except as otherwise provided herein or in NMSA 1978, Sections 22-18-1 et seq., the manner of conducting the Election and all other election procedures relating thereto, shall be as provided by the School Election Law, NMSA 1978, Sections 1-22-1 et seq., the Bond Election Act, NMSA 1978, 6-15-23 through 6-15-28 and the federal Voting Rights Act of 1965.

Section 7. The Superintendent of Schools and the officers of the District shall be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this resolution and the Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election.

Section 8. All action heretofore taken by the Board, the Superintendent and the

officers of the District not inconsistent with the provisions of this resolution and the Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election directed toward the calling and conducting of the Election shall be, and the same hereby is ratified, approved and confirmed.

Section 9. All acts, motions or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency.

PASSED AND ADOPTED this 10th day of November 2005.

President, Board of Education

[SEAL]

Attest:

Secretary, Board of Education

STATE OF NEW MEXICO

COUNTIES OF DOÑA ANA
AND OTERO

GADSDEN INDEPENDENT
SCHOOL DISTRICT NO. 16

§
§
§
§
§
§
§

SECRETARY'S CERTIFICATE

The undersigned, duly qualified and acting Secretary of the Board of Education of the Gadsden Independent School District No. 16 ("District"), in the Counties of Doña Ana, State of New Mexico, does hereby certify that the foregoing pages are a true, and complete copy of the record of the proceedings of said Board, constituting the governing body of the District, had and taken at a duly called regular meeting of said Board held at the Board Room, Administration Building, Santa Theresa, New Mexico on the 10th day of November 2005, convening at the hour of 5:00 p.m., insofar as they concern the Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election and a second Resolution concerning the District's Election, copies of each being therein set forth, as recorded in the book of official records of the proceedings of said District kept in the office of the Superintendent, and that said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein named were present at said meeting as therein shown.

WITNESS my hand and seal of said District affixed this 10th day of November 2005.

Secretary, Board of Education

[SEAL]

**RESOLUTION AND PROCLAMATION OF
SPECIAL SCHOOL BOND ELECTION AND
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 State of New Mexico, has determined that a Special School Bond Election and Capital Improvements Tax Election, ("Election") be held on February 7, 2006, pursuant to the School Election Law, NMSA 1978, Sections 1-22-1 through 1-22-19; and

WHEREAS, the Board of the District has determined upon its own initiative to submit to a vote at the Election, the question of the issuance of its general obligation bonds in the maximum amount of \$38,000,000 and for the purpose hereinafter specified, as permitted by NMSA 1978, Section 22-18-2B, and the Bond Election Act, NMSA 1978, Sections 6-15-23 through 6-15-28; and

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

WHEREAS, pursuant to NMSA 1978, Section 22-25-3, the Board has determined, and does hereby determine, that there should be submitted to the electorate at said Election, the question of whether or not a property tax of \$2.00 per each \$1,000.00 of net taxable value of property allocated to the District under the Property Tax Code should be imposed for the property tax years of 2006, 2007, 2008, 2009, 2010, and 2011, for the purpose of capital improvements in the District.

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 STATE OF NEW MEXICO:

Section 1. On the 7th day of February 2006, there will be held in the District, a special school district election for the purpose of submitting to the qualified electors of the District the question of creating a debt by the issuing of general obligation bonds and for the purpose of submitting to the qualified electors of the District the question of whether or not a property tax should be imposed for the purpose of capital improvements in the District.

Section 2. The Voting Districts for the Election are as follows:

<u>Precinct No.</u>	<u>Precinct Name</u>	<u>Location</u>	<u>Address</u>
8	Mesquite South	Del Cerro Community Center	180 La Fe Mesquite, NM
9	Berino	Berino Elementary School	92 Shrode Rd. Berino, NM
10	Berino South	Berino Elementary School	92 Shrode Rd. Berino, NM
11	Anthony North	Anthony Elementary School	600 Fourth St. Anthony, NM
12	Anthony West	Anthony Community Center	875 N. Main Anthony, NM
13	Sunland Park West	Riverside Elementary School	9001 McNutt Rd. Sunland Park, NM
14	Santa Theresa	Santa Theresa Middle School	4800 McNutt Rd. Santa Theresa, NM
15	La Union	La Union Elementary School	875 Mercantile Anthony, NM
16	Chamberino	Chamberino Fire Station	301 S. Medina Rd. Chamberino, NM
17	La Mesa	La Mesa Elementary School	253 Chimuri St. La Mesa, NM
74	Chaparral West	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
75	Chaparral North	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
76	Chaparral South	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
79	Mesquite North	Mesquite Elementary School	205 NM Hwy. 228 Mesquite, NM

<u>Precinct No.</u>	<u>Precinct Name</u>	<u>Location</u>	<u>Address</u>
80	Anthony South	Anthony Elementary School	600 N. Fourth St Anthony, NM
81	Westside	La Union Elementary School	875 Mercantile Anthony, NM
82	San Miguel	San Miguel Elementary School	2160 Hwy. 192 San Miguel, NM
97	Sunland Park East	Sunland Park Library	984 McNutt Rd. Sunland Park, NM

In addition, there will be an Absentee Voter District as described in Section 7 herein.

Section 3. The polls for the Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of the Election.

Section 4. At the Election, the following question shall be submitted to such qualified, registered electors of the District:

GENERAL OBLIGATION 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 of not exceeding \$38,000,000 for the purpose of erecting, remodeling, making additions to and furnishing school buildings and purchasing or improving school grounds and purchasing computer software and hardware for student use in public school classrooms, 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?"

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

PUBLIC SCHOOL CAPITAL IMPROVEMENTS 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 per each \$1,000.00 of net taxable value of the property allocated to such District under the Property Tax Code for the property tax years of 2006, 2007, 2008, 2009, 2010 and 2011 for the purpose of the following capital improvements in the District: erecting, remodeling, making additions to, providing equipment for and furnishing school buildings; purchasing or improving school grounds; and purchasing computer software and hardware for student use in public school classrooms; maintenance of public school buildings and public school grounds exclusive of salary expenses of employees of the District; and purchasing activity vehicles for transporting students to extracurricular school activities?"

Section 5. The tax contemplated by the capital improvements tax question shall be in addition to the tax contemplated by the bond question and to any tax imposed to pay debt service on the bonds, or for any other purpose. Such capital improvements tax shall be authorized pursuant to the Public School Capital Improvements Act, *i.e.*, NMSA 1978, Sections 22-25-1 through 22-25-10.

Section 6. A person is a qualified elector of the District if on the day of 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 County Clerk of Doña Ana County, or the County Clerk of Otero County 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 during regular office hours prior to 5:00 p.m. on January 10, 2006, being the twenty-eighth day immediately preceding the Election at the office of the County Clerk of Doña Ana County, Doña Ana County Courthouse, Las Cruces, New Mexico, or, the County Clerk of Otero County, Otero County Courthouse, Alamogordo, New Mexico, or by any registration agent at a designated agency as provided in NMSA 1978, Sections 1-4-47 and 1-4-48.

Section 7. Absentee voting will be permitted in the manner authorized by NMSA 1978, Sections 1-6-1 *et seq.*; provided, however, that pursuant to NMSA 1978, Section 1-22-19, qualified electors may also vote absentee in person at the office of the County Clerk of Doña Ana County, during the regular hours and days of business from 8:00 a.m., January 13, 2006, being the twenty-fifth day preceding the Election, until 5:00 p.m., February 3, 2006, being the Friday immediately prior to the Election.

Section 8. Voting on election day and absentee voting in person, as provided in Section 6 above, shall be by a voting system, defined in NMSA 1978, Sections 1-9-1 *et seq.* Other absentee voting shall be by paper ballot. At least one voting system shall be used at the polling place for each Voting District.

PASSED AND ADOPTED this 10th day of November 2005.

President, Board of Education

[SEAL]

Attest:

Secretary, Board of Education

NOTICE OF PROPOSAL TO ISSUE
GENERAL OBLIGATION SCHOOL BONDS

November 10, 2005

SCHOOL FINANCE DIVISION
NEW MEXICO PUBLIC EDUCATION DEPARTMENT
STATE EDUCATION BUILDING
SANTA FE, NEW MEXICO 87501-2786

The undersigned Board of Education contemplates the issuance of General Obligation School Bonds of the Gadsden Independent School District No. 16, in the Counties of Doña Ana and Otero, State of New Mexico, in the total sum of not exceeding \$38,000,000 for the purpose of erecting, remodeling, making additions to and furnishing school buildings or purchasing or improving school grounds, purchasing computer software and hardware for student use in public schools, or any combination of these purposes.

This notice is given pursuant to the provisions of NMSA 1978, Section 6-15-1, as amended.

You are requested to furnish the undersigned with all necessary information regarding the valuation, present outstanding bonded indebtedness, limitations as to tax rate and debt contracting power, and such other information as may be useful to the undersigned Board of Education and the voters of said District in the consideration of the proposal to issue general obligation bonds.

BOARD OF EDUCATION OF THE
GADSDEN INDEPENDENT
SCHOOL DISTRICT NO. 16
DOÑA ANA & OTERO COUNTIES, NEW MEXICO

By: _____
President

[SEAL]

Attest:

Secretary

**RESOLUCIÓN Y PROCLAMACIÓN DE
ELECCIÓN ESPECIAL DE BONOS ESCOLARES Y ELECCIÓN
CON EL FIN DE APROBAR IMPUESTOS PARA MEJORAMIENTOS CAPITALES**

CONSIDERANDO QUE, la Junta de Educación del Distrito Escolar Independiente Núm. 16 de Gadsden ("Junta" y "Distrito", respectivamente), en el Condados de Doña Ana y Otero y el Estado de Nuevo México, ha determinado que se llevará a cabo una Elección Especial de una Elección de Bonos Escolares y Elección Con el Fin de Aprobar Impuestos Para Mejoramientos Capitaless (en ésta, la "Elección") el 7 de febrero de 2006, conforme a La Ley de Elecciones Escolares, NMSA 1978, Secciones 1-22-1 a 1-22-19; y

CONSIDERANDO QUE, la Junta ha determinado por iniciativa propia someter a votación en la Elección, la cuestión de la emisión de bonos de obligación general de suma máxima de \$38,000,000 y para los fines que más adelante se especifican, conforme a NMSA 1978, Sección 22-18-2B, y la Ley de Elecciones de Bonos, NMSA 1978, Secciones 6-15-23 a 6-15-28;

CONSIDERANDO QUE, la cuestión relacionada con los bonos que aquí se somete a votación ni cualquiera otra cuestión de bonos ha sido derrotada por los votantes del Distrito en una elección de bonos convocada dentro de un período de dos años antes de la Elección que más adelante se especifica;

CONSIDERANDO QUE, conforme a NMSA 1978, Sección 22-25-3, la Junta ha determinado, y por medio de éste determina, que se debe presentar a los votantes en la Elección, la cuestión si se debe imponer o no un impuesto de \$2.00 por cada \$1,000 de valor neto tributable sobre la propiedad asignada al Distrito conforme al Código de Impuestos Sobre la Propiedad para los años tributables de propiedad 2006, 2007, 2008, 2009, 2010 y 2011, con el fin de hacer los mejoramientos capitales en el Distrito.

AHORA, POR LO TANTO, LA JUNTA DE EDUCACIÓN DEL DISTRITO ESCOLAR INDEPENDIENTE NÚM.16 DE GADSDEN EL CUAL CONSTITUYE EL CUERPO GOBERNANTE DEL DICHO DISTRITO, EN LOS CONDADOS DE DOÑA ANA Y OTERO Y ESTADO DE NUEVO MÉXICO RESUELVE:

Sección 1. El 7 de febrero de 2005 se llevará a cabo una elección especial ("Elección") en el Distrito con el fin de someterles a todos los votantes habilitados del Distrito la cuestión si se puede crear una deuda con la emisión de bonos de obligación general y con el fin de someterles a los votantes habilitados del Distrito la cuestión si se debiera imponer o no un impuesto para los mejoramientos capitales en el Distrito.

Sección 2. Los Precintos para votación para la Elección son los siguientes:

<u>Distritos Electorales</u>	<u>Rectintos de Elección</u>	<u>Sitios de Votación</u>	<u>Dirección</u>
8	Mesquite South	Del Cerro Community Center	180 La Fe Mesquite, NM
9	Berino	Berino Elementary School	92 Shrode Rd. Berino, NM
10	Berino South	Berino Elementary School	92 Shrode Rd. Berino, NM
11	Anthony North	Anthony Elementary School	600 Fourth St. Anthony, NM
12	Anthony West	Anthony Community Center	875 N. Main Anthony, NM
13	Sunland Park West	Riverside Elementary School	9001 McNutt Rd. Sunland Park, NM
14	Santa Theresa	Santa Theresa Middle School	4800 McNutt Rd. Santa Theresa, NM
15	La Union	La Union Elementary School	875 Mercantile Anthony, NM
16	Chamberino	Chamberino Fire Station	301 S. Medina Rd. Chamberino, NM
17	La Mesa	La Mesa Elementary School	253 Chimuri St. La Mesa, NM
74	Chaparral West	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
75	Chaparral North	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM
76	Chaparral South	Chaparral Middle School	310 E. Lisa Dr. Chaparral, NM

<u>Distritos Electorales</u>	<u>Rectintos de Elección</u>	<u>Sitios de Votación</u>	<u>Dirección</u>
79	Mesquite North	Mesquite Elementary School	205 NM Hwy. 228 Mesquite, NM
80	Anthony South	Anthony Elementary School	600 N. Fourth St Anthony, NM
81	Westside	La Union Elementary School	875 Mercantile Anthony, NM
82	San Miguel	San Miguel Elementary School	2160 Hwy. 192 San Miguel, NM
97	Sunland Park East	Sunland Park Library	984 McNutt Rd. Sunland Park, NM

Además habrá un Distrito para Votantes en Ausencia según se expresa en la Sección 7 más adelante.

Sección 3. Los Sitios de Votación en la Elección permanecerán abiertos entre las horas de las 7:00 a.m. y las 7:00 p.m. el día de la Elección.

Sección 4. En la Elección, la siguiente cuestión será sometida a los dichos votantes del Distrito que se hayan inscritos y estén habilitados:

CUESTIÓN DE BONOS DE OBLIGACIÓN GENERAL

"¿Se le concederá la autorización a la Junta de Educación del Distrito Escolar Independiente Núm. 16 de Gadsden, Condados de Doña Ana y Otero, Estado de Nuevo México a fin de que emita Bonos de una serie o más de obligación general del Distrito, en la suma agregada principal que no exceda de los \$38,000,000, con el fin de construir, remodelar, agregar anexos y amueblar a los edificios escolares y comprar o mejorar terrenos escolares y comprar programas y equipo de computadora para el uso estudiantil en las aulas escolares públicas proveyendo fondos iguales para los proyectos de desembolso de capital conforme a la Ley de Desembolso de Capital de Escuelas Publicas o una combinación de estos propósitos, los dichos bonos se pagarán con los fondos derivados de los impuestos generales (ad valorem) y se emitirán y se venderán en tal fecha o en tales fechas y conforme a los términos y condiciones que la Junta determine?"

En la Elección, la siguiente cuestión será sometida a los dichos votantes del Distrito que se hayan inscrito y estén habilitados:

CUESTIÓN SOBRE IMPUESTOS PARA MEJORAMIENTOS CAPITALES DE ESCUELA PÚBLICA

"¿Se le deberá otorgar la autorización a la Junta Escolar del Distrito Escolar Independiente Núm. 16 de Gadsden, Condados de Doña Ana Y Otero, Estado de Nuevo México para que imponga un impuesto de propiedad de \$2.00 por cada \$1,000.00 de valor neto tributable de la propiedad asignado a dicho Distrito conforme al Código de Impuestos Sobre la Propiedad para los años tributables 2006, 2007, 2008, 2009, 2010 y 2011 con el fin de hacer los mejoramientos capitales siguientes en el Distrito, es decir, construir, remodelar, añadir a, proveer equipo para y amueblar los edificios escolares, comprar o mejorar los terrenos escolares y comprar programas y equipo de computadora para el uso estudiantil en las aulas escolares públicas, el mantenimiento de los edificios públicos y de los terrenos escolares excluyendo las sumas de los salarios de los empleados del Distrito, y la compra de vehículos para las actividades escolares con el fin de transportar a los estudiantes a las actividades extracurriculares?"

Sección 5. El impuesto que contempla la cuestión del impuesto para los mejoramientos capitales se agregará al impuesto que contempla la cuestión sobre los bonos y se agregará también a cualquier impuesto que se imponga para pagar el servicio de la deuda de los bonos o para cualquier otro fin. Dichos impuestos para pagar los mejoramientos capitales serán autorizados conforme a la Ley de Mejoramientos Capitales de las Escuelas Públicas, es decir, NMSA 1978, Secciones 22-25-1 a 22-25-10.

Sección 6. Una persona es elector habilitado del Distrito si en el día de la Elección él o ella es ciudadano(a) de los Estados Unidos, tiene por lo menos 18 años de edad, y es residente del Distrito. Para votar, los votantes habilitados del Distrito deben haberse registrado previamente con el (la) Escribano(a) del Condado de Doña Ana, o con el (la) Escribano(a) del Condado de Otero o cualquier auxiliar de registración conforme a la ley. Cualquier votante habilitado del Distrito que no esta registrado ahora y que desea votar en la Elección debe registrarse en la oficina del (de la) Escribano(a) del Condado de Doña Ana, en el Edificio de la Corte en Las Cruces, Nuevo México o en la oficina del (de la) Escribano(a) del Condado de Otero, en el Edificio de la Corte en Alamogordo, Nuevo México durante las horas hábiles antes de las 5:00 p.m. el 10 de enero de 2006, siendo

esa fecha veinte y ocho días antes de la fecha de la Elección, o por cualquier agente de registración de votantes en una agencia designada conforme a NMSA 1978, Secciones 1-4-47 y 1-4-48.

Sección 7. La votación en ausencia se permitirá en la manera autorizada en NMSA 1978, Secciones 1-6-1, *et seq*; siempre que conforme a NMSA 1978, Sección 1-22-19, 1978 los votantes habilitados podrán votar presentándose personalmente en la oficina del (de la) Escribano(a) del Condado de Doña Ana durante las horas y en los días hábiles entre las 8:00 a.m. el 13 de enero de 2006, siendo esa fecha veinte y cinco días antes de la fecha de la Elección, hasta las 5:00 p.m. el 3 de febrero de 2006, siendo el día viernes que antecede inmediatamente la Elección.

Sección 8. La votación en el día de elección y en ausencia en persona, en la manera prevista en la sección 6 arriba, se llevará a cabo usando un sistema de votación, definido en NMSA 1978, Secciones 1-9-1, *et seq*. La otra votación en ausencia se llevará a cabo usando boletas electoral. Se colocará, por lo menos, un sistema de votación, en el sitio electoral de cada Distrito Electoral.

APROBADA Y ADOPTADA este día 10 de noviembre, de 2005.

Presidente, Junta de Educación

[SELLO]

Atestiguado:

Secretaria(o), Junta de Educación

STATE OF NEW MEXICO

§
§
§
§
§
§
§

COUNTIES OF DOÑA ANA
AND OTERO

GADSDEN INDEPENDENT
SCHOOL DISTRICT NO. 16

OPEN MEETINGS RESOLUTION CERTIFICATE

The undersigned duly qualified Superintendent of Schools of the Gadsden Independent School District No. 16, in the Counties of Doña Ana and Otero, State of New Mexico, does hereby certify that attached hereto as Exhibit A is a copy of the currently effective Open Meetings Resolution of the Board of Education of said District, which resolution is approved annually, and that all meetings of said Board of Education have been and will be held in compliance with said Resolution.

Dated: November 10, 2005

Superintendent
Gadsden Independent School District No. 16

STATE OF NEW MEXICO

§
§
§
§
§
§
§

COUNTIES OF DOÑA ANA
AND OTERO

GADSDEN INDEPENDENT
SCHOOL DISTRICT NO. 16

CERTIFICATE OF FILING OF RESOLUTION
AND PROCLAMATION OF ELECTION

The undersigned duly qualified Superintendent of Schools of the Gadsden Independent School District No. 16, in the Counties of Doña Ana and Otero, State of New Mexico, does hereby certify that a properly executed copy of the Resolution and Proclamation of Special School Bond Election and Public School Capital Improvements Tax Election ("Resolution and Proclamation"), duly adopted by the Board of Education of said District on November 10, 2005, was filed with the County Clerk of Doña Ana County, New Mexico on the _____ day of _____, 2005, and that such filing preceded the publication of the Resolution and Proclamation.

Superintendent

The Resolution and Proclamation was filed with the County Clerk of Doña Ana County (the County Clerk of Record and proper filing officer for the election) on the date set forth above in this Certificate.

By: _____
Doña Ana County Clerk

[SEAL OF THE
COUNTY CLERK]