

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 the State of New Mexico met in regular session, in full conformity with the law and the rules and regulations of the Board, at Desert Trail Elementary School, 310 E. Lisa Drive, Chaparral, New Mexico, on the 12th day of November, 2009, at the hour of 5:00 p.m. The duly elected officers and members of the Board were as follows:

President:	Jennifer Viramontes
Vice President	Craig Ford
Secretary:	Maria E. Saenz
Members:	Manuela Huerta
	Daniel Castillo

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

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

The Superintendent of Schools, Cynthia Nava, was also present.

Superintendent Nava thereupon introduced and recommended the Board adopt a resolution entitled:

RESOLUTION AND PROCLAMATION OF
SPECIAL SCHOOL BOND ELECTION

Member _____ then moved the adoption of said 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:

Superintendent Nava thereupon introduced and recommended the Board adopt a resolution entitled:

RESOLUTION AUTHORIZING AND DIRECTING
SCHOOL ELECTION PROCEDURES

Member _____ moved the adoption of said resolution. Member _____ seconded such motion. Upon being put to a vote said motion 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 Sunland Park, New Mexico, this 12th day of November, 2009.

President, Board of Education
Gadsden Independent School
District No. 16

Attest:

Secretary, Board of Education
Gadsden Independent
School District No. 16

(SEAL)

RESOLUTION AND PROCLAMATION OF
SPECIAL SCHOOL BOND 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 (“Election”) be held on February 2, 2010, pursuant to the School Election Law, NMSA 1978, §§1-22-1 through 1-22-19, and the Bond Election Act, NMSA 1978, §§ 6-15-23 through 6-15-28; and

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, Section 22-18-2(B), and the Bond Election Act; and

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.

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 2nd day of February, 2010, there will be held in the Gadsden Independent School District No. 16, Counties of Doña Ana and Otero, New Mexico, a special school bond 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 of the District.

Section 2. At the Election, the following question shall be submitted to such registered qualified 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 not exceeding \$36,000,000 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. 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 5, 2010, being the twenty-eighth 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 Courthouse in Las Cruces, New Mexico, 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, Sections 1-4-48 and 1-4-49.

Section 4. 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 5. The voting districts for the Election shall be as follows:

<u>Voting District</u>	<u>Election Precinct</u>	<u>Polling Place</u>
1	97 and Precinct 13	Desert View Elementary 425 Valle Vista Sunland Park, NM
2	For voters who vote in Doña Ana Precinct 14	Santa Teresa Middle School 4800 McNutt Road Sunland Park, NM
	For voters who vote in Doña Ana Precincts 15 and 81	La Union Elementary School 875 Mercantile Avenue La Union, NM 88021
	For voters who vote in Doña Ana portions of Precinct 16	Chamberino Fire Station Sauceda Avenue Chamberino, NM 88027
	Part of Precinct 19 and part of Precinct 82	North Valley Elementary School 300 Cascade San Miguel, NM 88058
3	17, and part of Precinct 96	La Mesa Elementary School 201 East Barela La Mesa, NM
	Precincts 9 and 10	Berino Elementary School 455 Shrode Road

		Anthony, NM
Elementary	Precinct 8, and part of Precinct 79	Mesquite 205 NM Hwy 228 Mesquite, NM
4	Precincts 11, 12, and 80 Elementary	Anthony School Anthony, NM
5	For voters who vote in Doña Ana Precincts 75 and 76; portions of Doña Ana Precincts 6 and 74; Otero Precinct 1, and portions of 35 within the District	Chaparral Middle School 290 E. Lisa Drive Chaparral, NM 88021

Absentee voting will be as described in Section 7 herein.

Section 6. Voting on the day of the Election shall be by a voting system defined in NMSA 1978, Section 1-9-1. At least one voting system shall be used at the polling place for each Voting District.

Section 7. Pursuant to the Absent Voter Act, NMSA 1978, §§ 1-6-1 through 1-6-18 (except 1-6-4.2), the Absent Voter Precinct Act, NMSA 1978, §§ 1-6-19, 1-6-20, 1-6-22, 1-6-24, and 1-6-25, and Section 1-22-19, registered qualified 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 8, 2010, being the twenty-fifth day preceding the Election, until 5:00 p.m. on January 29, 2010, being the Friday immediately prior to the Election. Absentee voting shall be by paper ballot, pursuant to Sections 1-6-9 and 1-22-19.

PASSED AND ADOPTED this 12th day of November, 2009.

President, Board of Education
Gadsden Independent School District No. 16

[SEAL]

Attest:

Secretary, Board of Education
Gadsden Independent School District No. 16

RESOLUTION AUTHORIZING AND DIRECTING 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 (“Resolution and Proclamation of Election”), adopted this 12th day of November, 2009, ordered that at the election to be held within the District, Doña Ana and Otero Counties, New Mexico, on the 2nd day of February, 2010 (“Election”), there shall be submitted to the registered qualified electors of the District the question of issuing the District’s general obligation bonds in an amount of not exceeding \$32,100,000 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 pursuant to the Public School Capital Outlay Act, or any combination of these purposes.

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 Election shall be published twice in public proclamation form, in full, in English and Spanish, in the *Las Cruces Bulletin*, Las Cruces, New Mexico, being a newspaper having general circulation within the District. The publications shall be made before December 14, 2009, which is fifty (50) days before the date of the Election. In addition, there shall be published a school election notice meeting the requirements of Section 1-22-11 of the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19, 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 in said notice the question to be submitted to the voters of the District and the names of the precinct board members of the District.

Section 2. Pursuant to Section 1-22-5, the Superintendent of Schools of the District (“Superintendent”) shall file the Resolution and Proclamation of Election with the Doña Ana County Clerk as the County Clerk of Record (“County Clerk of Record”), who also shall serve as administrator of the Election, pursuant to Section 1-22-12, and who shall be responsible for publishing the proclamation as described above. The Superintendent shall also obtain from the County Clerk of Record executed copies of the Certificate of Filing of Resolution and Proclamation of Election.

Section 3. Pursuant to Section 1-22-10, the County Clerk of Record shall prepare the ballots for the Election, which shall be printed by the thirtieth day preceding the Election. The printed ballot shall contain the question to be submitted to the registered qualified electors of the District, as more fully

described in Section 5 below. The ballot shall be printed in a form in substantial compliance with the provisions of Section 1-22-10, and in compliance with the provisions of the federal Voting Rights Act of 1965, as amended. The cost of printing the ballots shall be paid by the District.

Section 4. The bond question shall be submitted to all registered qualified electors on a single ballot except as provided herein.

Section 5. The voting systems to be used shall use a ballot label listing the submission clause for the bond question set forth in the form demonstrated in Section 2 of the Resolution and Proclamation of Election. The ballot label shall be printed in English and Spanish with plain, clear type in black ink on white material of such size as will fit the voting machines. The complete bond question to be submitted in English and Spanish shall be placed near the voting machines in plain view of the registered qualified voters so that the complete question may be examined before they vote. The ballot labels for the bond 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, 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 \$36,000,000 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 6. Pursuant to the Absent Voter Act, NMSA 1978, §§ 1-6-1 through 1-6-18 (except 1-6-4.2), the Absent Voter Precinct Act, NMSA 1978, §§ 1-6-19, 1-6-20, 1-6-22, 1-6-24, and 1-6-25, and Section 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 8, 2010, being the twenty-fifth day preceding the Election, until 5:00 p.m. on January 29, 2010, being the Friday immediately prior to the Election. Absentee voting shall be by paper ballot pursuant to Sections 1-6-9 and 1-22-19. The County Clerk of Record is requested to provide the quantity of paper ballots for use in the Election, pursuant to law.

Section 7. Except as otherwise provided herein the manner of conducting the Election and all other election procedures relating thereto, shall be as provided by the School Election Law, Bond Election Act, and the federal Voting Rights Act of 1965, as amended.

Section 8. The Superintendent 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 Election.

Section 9. 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 Election directed toward the calling and conducting of the Election shall be, and the same hereby is ratified, approved, and confirmed.

Section 10. All acts, motions or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency.

PASSED AND ADOPTED this 12th day of November, 2009.

President, Board of Education
Gadsden Independent School District No. 16

[SEAL]

Attest:

Secretary, Board of Education
Gadsden Independent School District No. 16

STATE OF NEW MEXICO §
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SECRETARY’S CERTIFICATE

The undersigned duly qualified and acting Secretary of the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District”, respectively), in Doña Ana and Otero Counties, New Mexico, does hereby certify that the foregoing pages are a true and complete copy of the record of the proceedings of the Board, constituting the governing body of the District, had and taken at a duly called regular meeting of the Board held at Chaparral Elementary School, Chaparral, New Mexico on the 12th day of November, 2009, convening at the hour of 5:00 p.m., insofar as they concern the Resolution and Proclamation of Special School Bond Election and the Resolution Authorizing and Directing Election Procedures, copies of each being therein set forth, as recorded in the book of official records of the proceedings of the District, kept in the office of the Superintendent of Schools, and that the meeting therein shown was duly held, the persons therein named were present at the meeting as shown, and the proceedings were duly had and taken as therein shown.

WITNESS my hand and seal of the District affixed this 12th day of November, 2009.

Secretary, Board of Education
Gadsden Independent School District No. 16

[SEAL]