

**SANTA FE COUNTY, NEW MEXICO**  
**RESOLUTION NO. 2016- 61**

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**A RESOLUTION**

**DECLARING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO, TO CONSIDER FOR ADOPTION AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE SANTA FE COUNTY, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT AND REFUNDING REVENUE BONDS, SERIES 2016, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$33,000,000 FOR PURPOSES OF DEFRAYING THE COSTS OF PLANNING, DESIGNING, CONSTRUCTING, REHABILITATING, RENOVATING, EQUIPPING, AND FURNISHING NECESSARY COUNTY BUILDINGS AND FACILITIES, INCLUDING, WITHOUT LIMITATION, COUNTY BUILDINGS AND FACILITIES LOCATED AT THE SITES OF THE COUNTY ADMINISTRATIVE BUILDING AND THE OLD JUDICIAL COMPLEX, AND DEFEASING, REFUNDING, REFINANCING, DISCHARGING AND PAYING THE PRINCIPAL OF AND ACCRUED INTEREST ON THE COUNTY'S GROSS RECEIPTS TAX REVENUE BONDS, SERIES 2008, AND TO PAY COSTS OF ISSUANCE OF THE SERIES 2016 BONDS; AND DIRECTING THE PUBLICATION OF A NOTICE OF MEETING, PUBLIC HEARING, AND INTENT TO CONSIDER AN ORDINANCE AUTHORIZING THE SERIES 2016 BONDS IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY**

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WHEREAS, Sections 4-62-1 through 4-62-10 NMSA 1978 (the "Act") authorize New Mexico counties to issue gross receipts tax revenue bonds secured by gross receipts tax revenues; and

WHEREAS, Santa Fe County, New Mexico (the "County"), desires to consider for adoption an ordinance authorizing, in accordance with the Act, the issuance and sale of the Santa Fe County, New Mexico Gross Receipts Tax Improvement and Refunding Revenue Bonds, Series 2016 (the "Series 2016 Bonds") in an aggregate principal amount not to exceed \$33,000,000 to provide funds for purposes of defraying the costs of planning, designing, constructing, rehabilitating, renovating, equipping, and furnishing necessary County buildings and facilities, including, without limitation, County buildings and facilities located at the sites of the County Administrative Building located at 102 Grant Avenue Santa Fe NM and the Old Judicial Complex located at 100 Catron Street Santa Fe NM (the "Improvement Project"), and defeasing, refunding, refinancing, discharging and paying the principal of and accrued interest on the County's Gross Receipts Tax Revenue Bonds, Series 2008; and

WHEREAS, Section 4-37-7 NMSA 1978 requires that publication of the title and general summary of the subject matter of any proposed ordinance be made in a newspaper of general circulation within the County at least two weeks prior to the meeting of the Board of County Commissioners (the "Board") at which the ordinance is proposed for final passage; and

WHEREAS, a form of the Notice of Meeting, Public Hearing, and Intent to Adopt an Ordinance authorizing the issuance and sale of the Bonds is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, THE GOVERNING BODY OF SANTA FE COUNTY, NEW MEXICO, AS FOLLOWS:

Section 1. All action (not inconsistent with the provisions hereof) heretofore taken by the Board and the officers thereof directed toward the authorization, issuance and sale of the Series 2016 Bonds for such purposes be and the same is hereby ratified, approved and confirmed, including, without limitation, the publication, in accordance with Section 4-37-7 NMSA 1978, as amended, in the *Santa Fe New Mexican* or other newspaper of general circulation within the County, a title and general summary of the ordinance relating to and authorizing issuance and sale of the Bonds at least two weeks prior to the meeting at which the Board will consider such ordinance.

Section 2. The Series 2016 Bonds shall be special, limited obligations to pay principal in an amount not to exceed \$33,000,000 plus interest thereon.

Section 3. A Notice of Meeting, Public Hearing and Intent to Adopt An Ordinance, in substantially the form attached to this Resolution as Exhibit "A", with such revisions as may be approved by the County Manager in consultation with the County Attorney and the County's bond counsel and financial advisor, shall be published in a newspaper of general circulation within the County at least two weeks before the meeting at which the Board takes final action on the ordinance authorizing issuance and sale of the Series 2016 Bonds.

(signature page follows)

PASSED, APPROVED, AND ADOPTED this 31<sup>st</sup> day of May, 2016.

SANTA FE COUNTY, NEW MEXICO

SFC RECORDED 06/01/2016



By: Miguel M. Chavez  
Miguel M. Chavez, Chairperson  
Board of County Commissioners

ATTEST:

By: Geraldine Salazar  
Geraldine Salazar, Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.  
as Bond Counsel to Santa Fe County

By: Peter Franklin  
Peter Franklin, Shareholder

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
BCC RESOLUTIONS  
PAGES: 5  
I Hereby Certify That This Instrument Was Filed for  
Record On The 1ST Day Of June, 2016 at 08:50:49 AM  
and Was Duly Recorded as Instrument # 1795115  
of The Records Of Santa Fe County  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy Laura Hernandez County Clerk, Santa Fe, NM



**EXHIBIT "A"**

**FORM OF NOTICE OF MEETING, PUBLIC HEARING  
AND INTENT TO ADOPT BOND ORDINANCE  
FOR PUBLICATION**

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Santa Fe County, New Mexico  
Notice of Meeting, Public Hearing and Intent to Adopt Bond Ordinance

Notice is hereby given of the title and general subject matter contained in an ordinance which the Board of County Commissioners ("BCC") of Santa Fe County ("County"), New Mexico, the governing body of the County, intends to adopt at a regular meeting on June 28, 2016, at the hour of 2:00 p.m. in the Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico relating to the authorization, issuance and sale by the County of its Santa Fe County, New Mexico Gross Receipts Tax Improvement and Refunding Revenue Bonds, Series 2016.

The title of the proposed Ordinance is:

**AN ORDINANCE**

**AUTHORIZING THE ISSUANCE AND SALE OF THE SANTA FE COUNTY, NEW MEXICO GROSS RECEIPTS TAX IMPROVEMENT AND REFUNDING REVENUE BONDS, SERIES 2016, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$33,000,000 FOR PURPOSES OF DEFRAYING THE COSTS OF PLANNING, DESIGNING, CONSTRUCTING, REHABILITATING, RENOVATING, EQUIPPING, AND FURNISHING NECESSARY COUNTY BUILDINGS AND FACILITIES, INCLUDING, WITHOUT LIMITATION, COUNTY BUILDINGS AND FACILITIES LOCATED AT THE SITES OF THE COUNTY ADMINISTRATIVE BUILDING AND THE OLD JUDICIAL COMPLEX, AND DEFEASING, REFUNDING, REFINANCING, DISCHARGING AND PAYING THE PRINCIPAL OF AND ACCRUED INTEREST ON THE COUNTY'S GROSS RECEIPTS TAX REVENUE BONDS, SERIES 2008, AND PAYING THE COSTS OF ISSUANCE OF THE SERIES 2016 BONDS; PROVIDING FOR THE EXACT PRINCIPAL AMOUNTS, MATURITIES, PRICES, REDEMPTION FEATURES, AND OTHER DETAILS OF THE BONDS; RATIFYING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BONDS; PROVIDING THAT THE BONDS SHALL BE SPECIAL, LIMITED OBLIGATIONS, AND FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS FROM THE DISTRIBUTIONS TO THE COUNTY OF THE REVENUES OF THE FIRST ONE-EIGHTH INCREMENT, THE**

THIRD ONE-EIGHTH INCREMENT, AND THE ONE-SIXTEENTH INCREMENT OF THE COUNTY GROSS RECEIPTS TAX ENACTED PURSUANT TO SECTION 7-20E-9 NMSA 1978, AND POSSIBLY THE ONE-EIGHTH INCREMENT OF COUNTY HOLD HARMLESS GROSS TAX ENACTED PURSUANT TO SECTION 7-20E-28 NMSA 1978, WHICH ARE DISTRIBUTED TO THE COUNTY BY THE NEW MEXICO TAXATION AND REVENUE DEPARTMENT PURSUANT TO SECTION 7-1-6.13 NMSA 1978; PROVIDING FOR THE PLEDGE OF SUCH REVENUES BY THE COUNTY; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

**Public Hearing.** All interested parties will be heard at the public hearing prior to the BCC taking action. Written comments, questions, and objections regarding the proposed ordinance may also be submitted to the Santa Fe County Attorney's Office, addressed to P.O. Box 276 Santa Fe NM 87504-0276, or presented in person at the hearing. Written comments submitted in advance of the hearing must be received in the Santa Fe County Attorney's Office before June 21, 2016, to be considered.

**Possible BCC Action on June 28, 2016.** After the public hearing on June 28, 2016, the BCC may adopt the proposed ordinance, with or without changes, vote not to adopt the proposed ordinance, recess the public meeting in accordance with the Open Meetings Act, or postpone the public hearing or delay action on the proposed ordinance until a future meeting of the BCC. Further newspaper publication of a recessed meeting or postponed hearing or action is not legally required. Interested parties not in attendance at or watching the June 28, 2016, public hearing where recessing or postponement might be announced should thus inquire of the County as to whether the BCC took action to recess or postpone.

**Copies of the Proposed Ordinance.** Copies of the proposed ordinance are available for inspection and copying in the Santa Fe County Clerk's Office, located at 102 Grant Avenue Santa Fe NM 87501.

This notice is given pursuant to Section 4-37-7 NMSA 1978.

Dated: May 31, 2016