

EXCERPT FROM A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
SANTA FE COUNTY

SFC CLERK RECORDED 12/21/2006

The Board of County Commissioners (the "Board"), as the governing body of Santa Fe County, State of New Mexico (the "County"), met in regular session in full conformity with law and the rules and regulations of the Board at the County Administration Building, 102 Grant Avenue, New Mexico, being the regular meeting place of the Board, on Tuesday, December 12, 2006, at the hour of 3:00 p.m. Upon roll call, the following members were found to be present:

PRESENT:

Chairman:

Harry Montoya

Members:

Virginia Vigil

Mike Anaya

Paul Campos

Jack Sullivan

ABSENT:

ALSO PRESENT:

Member Com. Vigil thereupon moved the adoption of the following resolution:

SFC CLERK RECORDED 12/21/2006

SANTA FE COUNTY, NEW MEXICO
RESOLUTION

2006-198

WHEREAS, at a general obligation bond election duly called and held for Santa Fe County, State of New Mexico, (the "County") on November 7, 2006, the electors of the County authorized the Board of Commissioners of Santa Fe County (the "Board") to contract bonded indebtedness on behalf of the County and upon the credit thereof by issuing general obligation bonds of the County to secure funds for the following purposes in the following amounts:

<u>Purpose</u>	<u>Amount Authorized At Election</u>	<u>Amount Previously Issued</u>	<u>Amount to be Issued</u>
acquire real property for and construct, design, equip, improve and furnish a District Courthouse and related parking facilities in Santa Fe	\$25,000,000	-0-	\$25,000,000

WHEREAS, the Board has determined, and does hereby determine, that it is necessary and in the best interest of the County and the inhabitants thereof that a portion of the general obligation bonds authorized at the election be issued at this time (that portion being referred to in this Resolution as the "Bonds"); provided, however, that a satisfactory price be obtained therefor upon a public sale;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Santa Fe County, New Mexico:



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
PAGES: 20

Hereby Certify That This Instrument Was Filed for record On The 21ST Day Of December, A.D., 2006 at 17:17 and Was Duly Recorded as Instrument # 1464301 of The Records Of Santa Fe County

2 Deputy *Marcella [Signature]* Witness By Hand And Seal Of Office Valerie Espinoza County Clerk, Santa Fe, NM

Section 1. The Chairman of the Board and the County Clerk are authorized and directed to cause to be published a notice of sale of the Bonds in the form set forth below in Section 2, for the purposes and in the amount described above, in the *New Mexican*, a newspaper of general circulation in the County, at least one week prior to the date of sale, and the Chairman of the Board is hereby authorized and directed to cause such other notice of the bond sale to be given as he shall determine, including the publication of the notice in financial papers and periodicals and the distribution among investment bankers and others of a Preliminary Official Statement relating to the Bonds.

Section 2. The notice of sale of the Bonds shall be published in the following form:

(Form of Notice for Publication)

NOTICE OF PUBLIC MEETING AND BOND SALE

PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of Santa Fe County, State of New Mexico (the "Board"), will receive and publicly open sealed or electronic transmission bids at the Santa Fe County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico 87501, at the hour of 11:00 a.m., prevailing Mountain Time, on January 9, 2007, for the purchase of \$25,000,000 Santa Fe County General Obligation Bonds, Series 2007A (the "Bonds"). The Board will meet in regular session at 5:00 p.m., on January 9, 2007 in the County Commission Chambers, County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico, being the regular meeting place of the County, to take action to award the Bonds. The Bonds will be issued as fully registered Bonds and will mature on July 1 of each year as follows:

\$25,000,000
 SANTA FE COUNTY, NEW MEXICO
 GENERAL OBLIGATION BONDS
 SERIES 2007A

<u>Year Maturing</u> (July 1)	<u>Amount Maturing</u>
2007	\$1,150,000
2008	2,800,000
2009	500,000
2010	500,000
2011	250,000
2012	250,000
2013	250,000
2014	250,000
2015	500,000
2016	750,000
2017	750,000
2018	750,000
2019	750,000
2020	750,000
2021	750,000
2022	1,250,000
2023	1,250,000
2024	1,250,000
2025	1,300,000
2026	9,000,000

The Bonds shall constitute the general obligation of the County and shall be payable solely out of general (ad valorem) taxes which shall be levied against all taxable property in the County without limitation as to rate or amount, as defined in the Property Tax Code, of all taxable property of the County for the property tax years 2007 through 2026.

Each bidder must submit an unconditional, written and sealed or electronic transmission bid on the Official Bid Form for all of the Bonds, specifying the lowest rate or rates of interest and premium, if any, at or above par at which such bidder will purchase the Bonds. The maximum net effective interest rate is 10% per annum and the

maximum stated interest rate permitted is 10% per annum. Further limitations and information concerning the interest rates which may be bid for the Bonds and otherwise concerning bidding are set forth in the Official Notice of Bond Sale, of which this notice is a condensation. None of the Bonds will be sold at less than the principal amount thereof. Copies of the Official Notice of Bond Sale, Preliminary Official Statement and the Official Bid Form may be obtained from the County's Financial Advisor, RBC Capital Markets, 6301 Uptown Blvd. N.E., Albuquerque, New Mexico 87110, telephone (505) 872-5999. All bids must comply with the terms of the Official Notice of Bond Sale.

The validity and enforceability of the Bonds will be approved by Modrall, Sperling, Roehl, Harris & Sisk, P.A., 500 Fourth Street, N.W., Albuquerque, New Mexico 87102, and a certified transcript of the legal proceedings will be furnished to the purchaser without charge.

DATED this 12th day of December, 2006.

(End of Form of Notice for Publication)

Section 3. The Official Notice of Bond Sale shall be in substantially the following form with such changes as are not inconsistent therewith and approved by the Chairman of the Board:

OFFICIAL NOTICE OF MEETING AND BOND SALE
\$25,000,000
SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION BONDS
SERIES 2007A

PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners (the "Board"), the governing body of Santa Fe County, New Mexico (the "County"), will receive and publicly open sealed or electronic transmission bids at the Santa Fe County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico 87501, at the hour of 11:00 a.m., prevailing Mountain Time, on the 9th day of January, 2007, for the purchase of Santa Fe County, New Mexico General Obligation Bonds, Series 2007A (the "Bonds"). Such bids may be submitted in a sealed envelope or electronically (at the option of the bidder) as further provided herein. If submitted electronically, bids must be submitted via BIDCOMP/PARITY BIDDING SYSTEM ("i-Deal" f/k/a/ "Dalcomp" or the "Qualified Electronic Bid Provider") as further provided herein. The Board will meet in regular session at 5:00 p.m. on January 9, 2007 at the County Commission Chambers, County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico, to take action to award the Bonds. The Bonds, having been authorized at an election held within the County on November 7, 2006, will be issued in the aggregate amount of \$25,000,000 in denominations of \$5,000 or any integral multiple thereof, dated as of the date of delivery, payable to the registered owner thereof as of the record date at his address as it appears on the registration books initially kept by the Santa Fe County Treasurer, as registrar and paying agent for the Bonds (the "Registrar/Paying Agent").

It is anticipated that the Bonds will be issued in book-entry form and deposited with a securities depository company (the "Depository") selected by the County with no physical distribution of bond certificates to the public. Transfers of beneficial ownership of the Bonds will be effected on the records of participants of the Depository and other nominees of beneficial owners of Bonds. As a condition to delivery of Bonds, the

successful bidder will be required, immediately after acceptance of delivery, to deposit the bond certificates with the Depository, registered in the name of the Depository or its nominee. Principal, premium, if any, and interest will be paid by the Paying Agent to the Depository or its nominee as registered owner of the Bonds. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Depository, its participants or other nominees. The County may, at its option, deliver bond certificates to beneficial owners or their nominees. The Bonds will be issued in one series and will be numbered from one upwards consecutively as requested by the purchaser and will mature in regular order of maturity on July 1 of each year and in the amounts as follows:

\$25,000,000
 SANTA FE COUNTY, NEW MEXICO
 GENERAL OBLIGATION BONDS
 SERIES 2007A

<u>Year Maturing</u> (July 1)	<u>Amount Maturing</u>
2007	\$1,150,000
2008	2,800,000
2009	500,000
2010	500,000
2011	250,000
2012	250,000
2013	250,000
2014	250,000
2015	500,000
2016	750,000
2017	750,000
2018	750,000
2019	750,000
2020	750,000
2021	750,000
2022	1,250,000
2023	1,250,000
2024	1,250,000
2025	1,300,000
2026	9,000,000

The Bonds maturing on and after July 1, 2017, are subject to prior redemption at the County's option in one or more units of principal of \$5,000 on and after July 1, 2016 in whole or in part at any time, in such order of maturities as the County may determine, for the principal amount of each \$5,000 unit of principal so redeemed plus accrued interest to the redemption date. Redemption shall be made upon prior notice mailed to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar in the manner and upon the conditions provided in the Bond Resolution.

The Bonds will be issued for the purpose of securing funds to acquire real property for, and to construct, design, equip, improve and furnish a District Courthouse and related parking facilities in Santa Fe. The Bonds are the first series of bonds approved in aggregate amount of up to \$25,000,000 by voters of the County on November 7, 2006.

Interest shall be bid in multiples of 1/20th or 1/8th percentum and only one interest rate may be bid for each maturity of the Bonds. A zero interest rate may not be specified and the rate of interest on any bond may not exceed the rate of interest on any other bond by more than one and one-half percent (1.5%) per annum. The maximum interest rate on the Bonds shall not exceed ten percent (10%) per annum and the maximum net effective interest rate shall not exceed ten percent (10%) per annum.

Interest on the Bonds shall be evidenced until maturity by only one interest rate per maturity. Interest shall be payable on July 1, 2007, and thereafter on each January 1 and July 1 until maturity. It is permissible to bid a different rate of interest for each different maturity of the Bonds, but no bid shall specify more than one interest rate for each maturity of Bonds. Except as limited above, there is no limit on the number of different interest rates that may be bid on the Bonds.

Only unconditional bids will be considered and each bid, except the bid of the State of New Mexico, if one is received, shall be accompanied by a deposit of not less than 2% of the principal amount of the Bonds, either in the form of a financial surety bond or in cash or by cashier's or treasurer's check of, or by certified check drawn on, a solvent commercial bank or trust company located in the United States payable to the order of Santa Fe County, New Mexico, which deposit shall be returned if the bid is not accepted.

The financial surety bond shall be rated in one of the top two rating categories of a nationally recognized rating agency, without regard to any modification of the rating, and the financial surety bond must be issued by an insurance company licensed to issue such a bond in New Mexico. If the Bonds are awarded to a bidder utilizing a financial surety bond as the good-faith deposit, then not later than 1:00 p.m. (prevailing Mountain Time), on January 10, 2007, the successful bidder must send an electronic wire transfer to such account as the County shall specify in immediately available funds in an amount equal to the good-faith deposit. If such wire transfer is not received from the successful bidder by 2:00 p.m. (prevailing Mountain Time), on January 10, 2007, the financial surety bond may be immediately drawn upon by the County to satisfy the good-faith deposit requirement. No interest on the deposit will accrue to the bidder. The deposit will be applied to the purchase price of the Bonds.

The Board will take action on the Bonds by awarding the Bonds, or rejecting all bids on the Bonds, not later than twenty-four (24) hours after the expiration of the time herein prescribed for the receipt of the bids. If the successful bidder or bidders shall fail or neglect to complete the purchase of the Bonds within 30 days following the acceptance of his bid, or within 10 days after the Bonds are made ready and are offered for delivery, whichever is later, the amount of the deposit relating to the Bonds shall be forfeited to the County, and in that event the Board may accept the bid of the bidder making the next best bid for the Bonds should such bidder elect to purchase the Bonds on that basis. Delivery

of the Bonds will be made to the successful bidder or bidders through the facilities of The Depository Trust Company, New York, New York, on or about February 15, 2007, at the expense of the County or elsewhere with the consent of the County and at the request and expense of the purchaser; PROVIDED, HOWEVER, that if, for any reason, delivery of the Bonds cannot be made within 60 days after opening of bids, the successful bidder shall have the right to purchase the Bonds during the next succeeding 30 days upon the same terms or, at the request of the successful bidder, during the next succeeding 30 days, the good-faith deposit will be returned and such bidder shall be relieved of any further obligation.

All bids shall specify: (a) the lowest rate of interest and the amount of the premium, if any, at and for which the bidder will purchase the Bonds, or (b) the lowest rate of interest at which the bidder will purchase the Bonds at par. No premium may be bid in an amount that exceeds 1.5% of the total principal amount of the Bonds. For informational purposes only, each bidder is requested to specify: (a) the method of payment of the good-faith deposit, (b) the true interest cost (i.e., actuarial yield) on the Bonds stated as a nominal annual percentage rate, (c) gross interest cost, (d) premium (if any), (e) net interest cost, and (f) name of any bond insurer and the amount of the insurance premium (at the cost of the bidder.) If the electronic bid form does not provide space for any or all of such additional information, the successful bidder shall provide such information as soon as possible following determination of the best bid. Any bid which specifies split interest rates will not be considered. The County reserves the right to waive irregularities in bids except that no bid shall be considered which is received after the time herein prescribed for the opening of bids. Except for electronic bids, proposals should be enclosed in a sealed envelope marked on the outside "Proposal for Purchase of General Obligation Bonds, Santa Fe County, New Mexico" and addressed to the Board of Commissioners of Santa Fe County, c/o RBC Capital Markets, Financial Advisor, 6301 Uptown Boulevard N.E., Albuquerque, New Mexico 87110.

Any electronic bids shall be submitted through the facilities of the Qualified Electronic Bid Provider no later than the time designated herein for the receipt of bids. During the electronic bidding, no bidder will see any other bidder's bid nor the status of its bid relative to other bids (i.e., whether their bid is a leading bid). Bidders may change or withdraw their bids at any time up to the time designated herein. Electronic bids may only be submitted through the Qualified Electronic Bid Provider. If any provisions in this Official Notice of Bond Sale should conflict with information or terms provided or required by the Qualified Electronic Bid Provider, this Official Notice of Bond Sale (and any amendments hereto) shall control. Each bidder who bids electronically shall be solely responsible for making necessary arrangements to access the Qualified Electronic Bid Provider for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Official Notice of Bond Sale. Neither the County nor the Qualified Electronic Bid Provider shall have any duty or obligations to provide or assure such access to any bidder, and neither the County nor the Qualified Electronic Bid Provider shall be responsible for proper operation of, or have any liability for, any delays or interruptions of, or any damages caused by, use of the Qualified Electronic Bid Provider. The County is using the Qualified Electronic Bid Provider as a communication mechanism, and not as the County's agent, to conduct the electronic bidding for the Bonds. Further information about the Qualified Electronic Bid Provider, including any fees charged, may be obtained from Parity, 395 Hudson Street, 3rd Floor, New York, New York 10014, Telephone (212) 806-8300, Fax (212) 989-9281.

Any bid may be submitted with the intent to qualify the Bonds for municipal bond insurance. If the Bonds are qualified for municipal bond insurance and the successful bidder desires to purchase municipal bond insurance, insurance premium and rating agency expenses associated with acquisition of municipal bond insurance will be the sole responsibility of the successful bidder. The County will apply and pay for a rating on the Bonds by Moody's Investor's Service, Inc.

The best bid for the Bonds will be determined by deducting the amount of the premium bid, if any, from the total amount of interest which the County would be required to pay from the date of the Bonds to their maturity dates at the interest rate or rates specified in the bid and the Bonds will be awarded on the basis of the lowest true interest cost, which shall mean that rate which, as of the date of the Bonds, discounts semi-annually all future payments on account of principal and interest on the Bonds to the price bid.

The Bonds will be awarded to the best bidder considering the interest rate or rates specified and the premium offered, if any, and subject to the right of the Board to reject all bids. If there are two or more equal bids at not less than par which are the best bids received, the Board shall determine which bid is to be accepted.

The Bonds will not be sold for less than par nor shall any discount or commission be allowed or paid on the sale of the Bonds. Upon delivery, the deposit of the successful bidder will be credited against the purchase price and the balance shall be paid in federal funds. The applicable CUSIP numbers will be printed on the Bonds; provided that an incorrect CUSIP number printed on any Bond or the absence of any CUSIP number on any Bond shall not constitute cause to refuse delivery of the Bonds.

The Bonds will constitute the general obligation bonds of the County and shall be payable from general ad valorem taxes which may be levied against all taxable property within the County without limitation as to rate or amount.

In order to assist the purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5), at the time of delivery of the Bonds, the County will undertake, pursuant to a written continuing disclosure agreement, to provide annual financial information and notices of certain material events.

The County has prepared a Preliminary Official Statement, relating to the Bonds which is to be deemed by the County to be final as of its date for purposes of allowing bidders to comply with Rule 15c2-12 of the Securities Exchange Commission ("the Rule"), except for the omission of certain information as permitted by the Rule. The Preliminary Official Statement is subject to revision, amendment and completion in a Final Official Statement as defined below. Copies of the Preliminary Official Statement and the bid form may be obtained from the County's Financial Advisor, RBC Capital Markets, 6301 Uptown Boulevard, N.E., Albuquerque, New Mexico 87110, telephone (505) 872-5999. The Preliminary Official Statement, Notice of Sale and Bid Form are also available for viewing in electronic format at i-dealprospectus.com. The County will prepare a final Official Statement (the "Final Official Statement") as soon as practicable after the date of award to the successful bidder, and will provide to the successful bidder up to 50 copies of the Final Official Statement on or before seven business days following the date of the award to the successful bidder. The Final Official Statement will be dated as of the award of the Bonds to the successful bidder and will be final as of that date. The County authorizes the successful bidder to distribute the Final Official Statement in connection with the offering of the Bonds.

The validity and legality of the Bonds will be approved by Modrall, Sperling, Roehl, Harris & Sisk, P.A., Albuquerque, New Mexico, Bond Counsel, whose approving opinion, together with the printed Bonds and a complete transcript of the legal proceedings, including a certificate stating that no litigation affecting the validity of the Bonds is pending, will be furnished to the purchaser without charge.

The County will covenant to take all actions which may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and not to take any actions which would adversely affect that exclusion. The approving legal opinion of Bond Counsel will include an opinion to the effect that under existing law the interest on the Bonds (i) is excludable from gross income for federal income tax purposes and from net income for State of New Mexico income tax purposes, and (ii) is not treated as an item of tax preference for purposes of the alternative minimum tax imposed on individuals and corporations under the Internal Revenue Code of 1986 and applicable Treasury Regulations (the "Code"). Bond Counsel will express no opinion regarding federal income tax consequences other than as stated above resulting from the receipt or accrual of interest on the Bonds. Bond Counsel will not independently verify the accuracy of the certifications and representations made by the County.

The Code prescribes a number of qualifications and conditions for the interest on state and local government obligations to be and remain excludable from gross income for federal income tax purposes, some of which, including provision for rebate by the issuer of certain investment earnings to the federal government, require future or continued compliance after issuance of the obligations in order for the interest to continue to be so excluded from the date of issuance. Noncompliance with these requirements could cause the interest on the Bonds to be included in gross income for federal income tax purposes and thus to be subject to regular federal income taxation retroactively to the date of their issuance.

Code provisions applicable only to corporations (as defined for federal income tax purposes), may subject a portion of the interest on the Bonds earned by certain corporations to corporate alternative minimum tax. In addition, under the Code, the exclusion of interest from gross income for federal income tax purposes can have certain adverse federal income tax consequences in other respects for certain taxpayers,

including financial institutions, certain insurance companies, recipients of Social Security and Railroad Retirement benefits, recipients of the Earned Income Credit, and those that are deemed to incur or continue indebtedness to acquire or carry tax-exempt obligations. The applicability and extent of these other tax consequences will depend upon the particular tax status and other items of income and expense of the owner of the Bonds. Bond Counsel will express no opinion regarding such consequences.

The purchaser of the Bonds, by submitting its bid, agrees to provide a certificate including information as to bona fide initial offering prices to the public and sales of the Bonds and a certified determination of yield on the Bonds under the Code, as and at the time requested by the Financial Advisor and Bond Counsel.

DATED at Santa Fe, New Mexico, this 12th day of December, 2006.

[End of Form of Notice]

Section 4. After consultation with the County's Financial Adviser and Chairman of the Board, the County Treasurer, in order to maintain in effect the appropriate mill levy, is hereby authorized to establish the amount of the Bonds not to exceed \$25,000,000. The County Treasurer is further authorized, should it be determined necessary to do so, and in the best interest of the County, to designate the time, date and place to be established for the sale, the dated date of the Bonds, the maturities, the initial interest payment date, provisions and terms of prior redemption options (if any), and the date of the preliminary official statement, to the extent there is a difference from the dates and provisions previously set forth herein and, after consultation with the Chairman of the Board, the County Treasurer is further authorized to designate in the notices set forth in Sections 2 and 3 hereof the meeting date and time at which the Board will consider adoption of a bond award resolution awarding the Bonds to the best bidder.

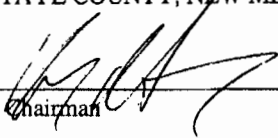
Section 5. The Board and the appropriate officers and employees of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, but not limited to, submitting an application for a policy of municipal bond insurance on the Bonds to an entity or entities experienced in insuring municipal bonds. In order to obtain and preserve the exemption from federal income tax of interest on the Bonds, the Board further covenants it will take all actions that may be required of the County and the Board, and will not take any actions which would adversely affect such exemption, under the provisions of any federal tax law that applies to the Bonds, whether presently in effect or enacted subsequent to the date of issuance of the Bonds, and the Board hereby authorizes the Chairman of the Board, the

County Treasurer, and other appropriate officers and employees to take such actions and give such certifications as may be appropriate for the purposes aforesaid.


Section 6. The Board hereby authorizes and approves the submission of a bid to purchase the Bonds by its financial advisor, RBC Capital Markets, in its individual capacity or as a member of a group submitting a bid for the Bonds.

PASSED AND ADOPTED this 12th day of December, 2006.

BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By:  _____
Chairman

ATTEST:


Clerk
VALERIA ESPINOZA
FOR 12/14/06

Member Con. Sullivan then seconded the adoption of the foregoing resolution. The motion to adopt the resolution upon being put to a vote was passed and adopted on the following recorded vote:

Those Voting Aye:

Harry Montoya
Virginia Vigil
Mike Anaya
Paul Campos
Jack Sullivan

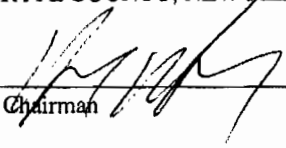
Those Voting Nay:

Those Absent:

five (5) members of the Board having voted in favor of the motion, the presiding officer declared the motion carried and the resolution adopted, whereupon the Chairman and Clerk signed the resolution. The Clerk was directed to enter the foregoing proceedings and resolution upon the records of the minutes of the Board.

After transaction of other business not related to the bond issue, upon motion duly made, seconded and carried, the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By: 
Chairman

ATTEST:

 12/12/06
Clerk
VALERIO ESPINOZA



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SFC CLERK RECORDED 12/21/2006

