STATE OF NEW MEXICO	§
	§
COUNTY OF OTERO	§
	§
ALAMOGORDO MUNICIPAL	§
SCHOOL DISTRICT NO. 1	§

The Board of Education of the Alamogordo Municipal School District No. 1 ("Board") County of Otero, State of New Mexico, met in regular session, in full conformity with law and the rules and regulations of the Board at the Administrative Complex, 1211 Hawaii Avenue, Alamogordo, New Mexico, on January 19, 2023, and via Zoom, at the hour of 6:00 p.m. The duly elected officers and members of the Board were as follows:

President:	Judy Rabon
Vice President	Amber Ross
Secretary:	Carol Teweleit
Members:	Angela Cadwallader
	Amanda Jewell

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, Dr. Kenneth Moore, was also present.

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

RESOLUTION AND PROCLAMATION OF SPECIAL SCHOOL BOND ELECTION, SPECIAL CAPITAL IMPROVEMENTS TAX ELECTION, AND SPECIAL PUBLIC SCHOOL BUILDINGS TAX 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 Moore then introduced and recommended the Board adopt a resolution entitled:

RESOLUTION AUTHORIZING AND DIRECTING SPECIAL SCHOOL ELECTION PROCEDURES

Member _____ moved the adoption of said 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 Alamogordo, New Mexico, this 19th day of January, 2023.

President, Board of Education

[District Seal]

Attest:

Secretary, Board of Education

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

WHEREAS, the Board of Education of the Alamogordo Municipal School District No. 1 ("Board" and "District," respectively), in the County of Otero and the State of New Mexico, has determined that a special school bond election, a special public school capital improvements tax election, and a special public school buildings tax election ("Election") be held on the 9th day of May, 2023, pursuant to the Election Code, Chapter 1, NMSA 1978, the Local Election Act, NMSA §§ 1-22-1 through 1-22-20, the Special Election Act, NMSA 1978, §§ 1-24-1 through 1-24-6, the Bond Election Act, NMSA 1978, §§ 6-15-23 through 6-15-28, the Public School Capital Improvements Tax Act, NMSA 1978, §§ 22-25-1 through 22-25-11, and the Public School Buildings Act, NMSA §§22-26-1 through 22-26-10;

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

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

WHEREAS, pursuant to NMSA 1978, § 22-25-3, the Board has determined and does hereby determine that there should be submitted to the electorate at the Election the question of whether a property tax of $2.00 on each $1,000.00 of net taxable value of property allocated to the District under the Property Tax Code, NMSA 1978, Chapter 7, Articles 35 through 38, should be imposed for the property tax years 2024, 2025, 2026, 2027, 2028 and 2029, for the purpose of capital improvements in the District; and

WHEREAS, pursuant to NMSA 1978, § 22-26-3, the Board has determined and does hereby determine that there should be submitted to the electorate at the Election, the question of whether a property tax of $1.40 on each $1,000.00 of net taxable value of property allocated to the District under the Property Tax Code, NMSA 1978, Chapter 7, Articles 35 through 38, should be imposed for the property tax years of 2024, 2025, 2026, 2027, 2028, and 2029, for the purpose of capital improvements in the District

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ALAMOGORDO MUNICIPAL SCHOOL DISTRICT NO. 1, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT, IN THE COUNTY OF OTERO AND THE STATE OF NEW MEXICO:

Section 1. On the 9th day of May, 2023, there will be held in the Alamogordo Municipal School District No. 1, Otero County, New Mexico, a special school bond election for the purpose of submitting to the qualified registered electors of the District the question of creating debt by the issuing of general obligation bonds, a special public school capital improvements tax election for the purpose of submitting to the qualified registered electors of the District the question of whether a property tax should be imposed for the purpose of capital improvements in the District, and a special public school buildings tax election for the purpose of submitting to the qualified electors of the District the question of whether a property tax should be imposed for the purpose of capital improvements in the District.

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

GENERAL OBLIGATION SCHOOL BOND QUESTION

Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of 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 $15,000,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings, including teacher housing; 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?

PUBLIC SCHOOL CAPITAL IMPROVEMENTS (2 MILL) TAX QUESTION

Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of Otero, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2024, 2025, 2026, 2027, 2028, and 2029 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act Chapter 6, Article 15A NMSA 1978, or the Public School Lease Purchase Act, Chapter 22, Article 26A NMSA 1978, but excluding any other debt service expenses, for: (1) erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings, and pre-kindergarten classroom facilities; (2) purchasing or improving public school or pre-kindergarten grounds; (3) maintenance of public school buildings, or public school or pre-kindergarten grounds, including the purchasing or repairing of

maintenance equipment and participating in the facility information management system as required by the Public School Capital Outlay Act, Chapter 22 and including payments under contracts with regional education cooperatives for maintenance support services and expenditures for technical training and certification for maintenance and facilities management personnel, but excluding salary expenses of District employees; (4) purchasing activity vehicles for transporting students to extracurricular school activities; (5) purchasing computer software and hardware for student use in public school classrooms; and (6) purchasing and installing education technology improvements, excluding salary expenses of District employees, but including tools used in the educational process that constitute learning and administrative resources, and that may also include: (a) satellite, copper and fiber-optic transmission; computer and network connection devices; digital communication equipment, including voice, video and data equipment; servers; switches; portable media devices, such as discs and drives to contain data for electronic storage and playback; and the purchase or lease of software licenses or other technologies and services, maintenance, equipment and computer infrastructure information, techniques and tools used to implement technology in schools and related facilities; and (b) improvements, alterations and modifications to, or expansions of, existing buildings or tangible personal property necessary or advisable to house or otherwise accommodate any of the tools listed in this paragraph?

PUBLIC SCHOOL BUILDINGS (1.40 MILL) TAX QUESTION

"Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of Otero, State of New Mexico, be authorized to impose a property tax of $1.40 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years of 2024, 2025, 2026, 2027, 2028, and 2029 for the purpose of the following capital improvements to public schools in the District: expenditures, including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act but excluding any other debt service expenses, for: A) erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings, including teacher housing and pre-kindergarten classrooms belonging to the District or charter school located in the District; B) payments made pursuant to a financing agreement entered into by the District or a charter school for the leasing of a building or other real property with an option to purchase for a price that is reduced according to payments made; C) purchasing or improving public school grounds; D) purchasing activity vehicles for transporting students to and from extracurricular school activities; provided that this authorization for expenditure does not apply to school

districts with a student MEM greater than sixty thousand; E) administering the projects undertaken pursuant to Subsections A) and C) of this section, including expenditures for facility maintenance software, project management software, project oversight and District personnel specifically related to administration of projects funded by the Public School Buildings Act; provided that such expenditures shall not exceed five percent of the total project costs; and F) purchasing and installing education technology improvements, excluding salary expenses of District employees, but including tools used in the educational process that constitute learning and administrative resources, and that may also include: (1) satellite, copper and fiber optic transmission; computer and network connection devices; digital communication equipment, including voice, video and data equipment; servers; switches; portable media devices, such as discs and drives to contain data for electronic storage and playback; and purchase or lease of software licenses or other technologies and services, maintenance, equipment and computer infrastructure information, techniques and tools used to implement technology in schools and related facilities; and (2) improvements, alterations and modifications to, or expansions of, existing buildings or tangible personal property necessary or advisable to house or otherwise accommodate any of the tools listed in this subsection?

Section 3. The taxes contemplated by the public school capital improvements tax question and by the public school buildings tax question shall be in addition to any tax imposed to pay debt service on any outstanding bonds or for any other purpose. Such taxes shall be authorized pursuant to the Public School Capital Improvements Act and the Public School Buildings Act. The taxes contemplated by the general obligation school bond question shall be in addition to any tax imposed to pay debt service on any outstanding bonds or for any other purpose, and shall be authorized pursuant to the Bond Election Act.

Section 4. 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 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 April 11, 2023, being the twenty-eighth (28th) day immediately preceding the Election, during regular business hours and days of business, at the office of the Otero County Clerk at the Otero County Courthouse, in Alamogordo, New Mexico, or by any voter registration agent at a designated agency, as provided in NMSA 1978, §§ 1-4-48 and 1-4-49. The registration books shall close at the end of the day on April 11, 2023, pursuant to NMSA 1978, § 1-4-8(A).

Section 5. Pursuant to NMSA 1978, § 1-24-3(C), voting shall be by mail ballot only There will be no polling places for the Election.

Section 6. Pursuant to NMSA 1978, §§ 1-24-3(A) and 1-24-3(B), the Otero County Clerk shall send each registered voter a ballot along with a statement that there will be no polling place for the election. The return envelope for the ballot shall be postage-paid.

Section 7. The Mail Ballots shall be mailed to each registered voter no later than April 11, 2023, being the twenty-eighth day prior to the Election, or as soon as practicable thereafter.

PASSED AND ADOPTED this 19th day of January, 2023.

_____
President, Board of Education

[District Seal]

Attest:

_____
Secretary, Board of Education

RESOLUTION AUTHORIZING AND
DIRECTING SPECIAL SCHOOL ELECTION PROCEDURES

WHEREAS, the Board of Education of the Alamogordo Municipal School District No. 1 ("Board" and "District," respectively), on its own motion, has by its Resolution and Proclamation of School Bond Special Election, Public School Capital Improvements Tax Special Election, and Public School Buildings Tax Special Election ("Resolution and Proclamation of Special Election") adopted this 19th day of January, 2023, ordered that at the election to be held within the District, Otero County, New Mexico, on the 9th day of May, 2023 ("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 not exceeding $15,000,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings, including teacher housing; 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; the question of whether to impose a public school capital improvements; and the question of whether to impose a public buildings act tax.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ALAMOGORDO MUNICIPAL SCHOOL DISTRICT NO. 1, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT IN THE COUNTY OF 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 Alamogordo Daily News, Alamogordo, New Mexico, being a newspaper having general circulation within the District and in such other languages as have been designated by the U.S. Census Bureau according to the last decennial census for publication pursuant to federal laws. The publications shall be made once a week for two consecutive weeks before March 7, 2023, which is sixty-three (63) days before the date of the Election.

Section 2. The Superintendent of Schools of the District ("Superintendent") shall file the Resolution and Proclamation of Election with the County Clerk of Otero County who shall conduct the Election, pursuant to NMSA 1978, § 1-24-23, and who shall be responsible for publishing the proclamation as described in NMSA 1978, § 1-24-2(D). 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 NMSA 1978, § 1-6(B)-7, § 1-22-10(B), § 1-24-3, and § 1-10-5, the County Clerk shall transmit ballots to send to federal qualified electors no later than March 25, 2023, which is the forty fifth (45th) day preceding the Election. The Otero County Clerk shall mail ballots to all other voters on April 11, 2023, which is the twenty-eighth (28th) day before the election, or as soon as practicable thereafter. The printed ballots shall contain the questions to be submitted to the qualified registered electors of the District, as more fully described in Section 5 below.

Section 4. The bond question and the tax questions shall be submitted to all registered electors on a single ballot, except as provided herein.

Section 5. The bond question and the tax questions on the ballot shall be in substantially the following form:

GENERAL OBLIGATION SCHOOL BOND QUESTION

⬭ FOR THE SCHOOL DISTRICT BONDS ⬭ AGAINST THE SCHOOL DISTRICT BONDS	Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of 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 $15,000,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings, including teacher housing; 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?

PUBLIC SCHOOL CAPITAL IMPROVEMENTS (2 MILL) TAX QUESTION

⬭ FOR THE PUBLIC SCHOOL CAPITAL IMPROVEMENTS TAX ⬭ AGAINST THE PUBLIC SCHOOL CAPITAL IMPROVEMENTS TAX	Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of Otero, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2024, 2025, 2026, 2027, 2028 and 2029, for Capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act, Chapter 6, Article 15A NMSA 1978, or the Public School Lease Purchase Act, Chapter 22, Article 26A NMSA 1978, but excluding any other debt service expenses, for: (1) erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings, including teacher housing, and pre-kindergarten classroom facilities; (2) purchasing or improving public school or pre-kindergarten grounds; (3) maintenance of public school buildings, including teacher housing, or public school or pre-kindergarten grounds, including the purchasing or repairing of maintenance equipment and participating in the facility information management system as required by the Public School Capital Outlay Act and including payments under contracts with regional education cooperatives for maintenance support services and expenditures for technical training and certification for maintenance and facilities management personnel, but excluding salary expenses of District employees; (4) purchasing activity vehicles for transporting students to extracurricular school activities; (5) purchasing computer software and hardware for student use in public school classrooms; and (6) purchasing and installing

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

PUBLIC SCHOOL BUILDINGS (1.40 MILL) TAX QUESTION

O FOR THE PUBLIC SCHOOL BUILDINGS TAX

O AGAINST THE PUBLIC SCHOOL BUILDINGS TAX

"Shall the Board of Education of the Alamogordo Municipal School District No. 1, County of Otero, State of New Mexico, be authorized to impose a property tax of $1.40 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years of 2024, 2025, 2026, 2027, 2028, and 2029 for the purpose of the following capital improvements to public schools in the District: A) erecting, remodeling, making additions to, providing equipment for or furnishing public school buildings, including pre-kindergarten classrooms belonging to the District or charter school located in the District; B) payments made pursuant to a financing agreement entered into by the District or a charter school for the leasing of a building or other real property with an option to purchase for a price that is reduced according to payments made; C) purchasing or improving public school grounds; D) purchasing activity vehicles for transporting students to and from extracurricular school activities; provided that this authorization for expenditure does not apply to school districts with a student MEM greater than sixty thousand; E) administering the projects undertaken pursuant to Subsections A) and C) of this section, including expenditures for facility maintenance software, project management software, project oversight and District personnel specifically related to administration of projects funded by the Public School Buildings Act, provided that such expenditures shall not exceed five percent of the total project costs; and F) purchasing and installing education technology improvements, excluding salary expenses of District employees, but including tools used in the educational process that constitute learning and administrative resources, and that may also include: (1) satellite, copper and fiber optic transmission; computer and network connection devices; digital communication equipment, including voice, video and data equipment; servers; switches; portable media devices, such as discs and drives to contain data for electronic storage and playback; and purchase or lease of software licenses or other technologies and services,

maintenance, equipment and computer infrastructure information, techniques and tools used to implement technology in schools and related facilities; and (2) improvements, alterations and modifications to, or expansions of, existing buildings or tangible personal property necessary or advisable to house or otherwise accommodate any of the tools listed in this subsection?

Section 6. Except as otherwise provided herein, the manner of conducting the Election and all other election procedures relating thereto shall be as provided by the Local Election Act, the Special Election Act, the Bond Election Act, and the federal Voting Rights Act of 1965, as amended.

Section 7. 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 Special 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 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 19th day of January, 2023.

_____
President, Board of Education

[District Seal]

Attest:

_____
Secretary, Board of Education

STATE OF NEW MEXICO	§	
	§	
COUNTY OF OTERO	§	SECRETARY'S CERTIFICATE
	§	
ALAMOGORDO MUNICIPAL	§	
SCHOOL DISTRICT NO. 1	§	

The undersigned duly qualified and acting Secretary of the Board of Education of the Alamogordo Municipal School District No. 1 ("Board" and "District," respectively), in Otero County, 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 the School Board Room, School Administrative Complex, 1211 Hawaii Avenue, Alamogordo, New Mexico, and via Zoom on the 19th day of January, 2023, convening at the hour of 6:00 p.m., insofar as they concern the Resolution and Proclamation of Special School Bond Election, Special Public School Capital Improvements Tax Election, and Special School Buildings Tax Election, and the Resolution Authorizing and Directing Special School 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 19th day of January, 2023.

_____
Secretary, Board of Education

[District Seal]