

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

WHEREAS, the Board of Education of the Hobbs Municipal School District No. 16 (“Board” and “District,” respectively), in the County of Lea and the State of New Mexico, has determined that a special public school capital improvements tax election and a special public school buildings tax election (“Election”) be held on the 24th day of August 2021, pursuant to the Election Code, Chapter 1, NMSA 1978; the Local Election Act, NMSA 1978, Chapter 1, Article 22; the Special Election Act, NMSA 1978, Chapter 1, Article 24; the Public School Capital Improvements Act, NMSA 1978, §§ 22-25-1 through 22-25-11; and the Public School Buildings Act, NMSA 1978, §§ 22-26-1 through 22-26-10;

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 2021, 2022, 2023, 2024, 2025, and 2026, 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 \$4.00 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 of 2021, 2022, 2023, 2024, 2025, and 2026, for the purpose of capital improvements in the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE HOBBS MUNICIPAL SCHOOL DISTRICT NO. 16, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT, IN THE COUNTY OF LEA AND THE STATE OF NEW MEXICO:

Section 1. On the 24th day of August 2021, there will be held in the Hobbs Municipal School District No. 16, Lea County, New Mexico, 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:

PUBLIC SCHOOL CAPITAL IMPROVEMENTS (\$2.00 MILL) TAX QUESTION

Shall the Board of Education of the Hobbs Municipal School District No. 16, County of Lea, 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 2021, 2022, 2023, 2024, 2025, and 2026 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, NMSA 1978, Article 24, 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 (\$4.00 MILL) TAX QUESTION

"Shall the Board of Education of the Hobbs Municipal School District No. 16, County of Lea, State of New Mexico, be authorized to impose a property tax of \$4.00 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 of 2021, 2022, 2023, 2024, 2025, and 2026 for the purpose of the following capital improvements to public schools in the District: expenditures, including payments made with respect to lease-purchase arrangement as defined in the Education Technology Equipment Act , chapter 6, Article 15A NMSA 1978, but excluding any other debt services expenses, for: 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 3. The taxes contemplated by the Public School Capital Improvements Tax (\$2.00 Mill) Question and by the Public School Buildings (\$4.00 Mill) 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.

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 Lea 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 July 27, 2021, being the twenty-eighth (28th) day immediately preceding the Election, during regular business hours and days of business, at the office of the Lea County Clerk at the Lea County Courthouse, in Lovington, 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 July 27, 2021, pursuant to NMSA 1978, § 1-4-8(A).

Section 5. Pursuant to NMSA 1978, § 1-24-3(B) and (D), 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 (B), the Lea 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.

PASSED AND ADOPTED this 16th day of March, 2021.



Attest:



Secretary, Board of Education



President, Board of Education