

VALENCIA COUNTY, NEW MEXICO

ORDINANCE NO. 2020-02

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF VALENCIA COUNTY, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2020, IN THE PRINCIPAL AMOUNT OF \$2,550,000 FOR THE PURPOSES OF CONSTRUCTING AND REPAIRING PUBLIC ROADS, INCLUDING PURCHASING CAPITAL EQUIPMENT FOR SUCH PROJECTS, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE COUNTY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY PURSUANT TO A BOND PURCHASE AGREEMENT; DELEGATING AUTHORITY TO MAKE CERTAIN DETERMINATIONS CONCERNING THE TERMS OF THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS.

WHEREAS, at a special general obligation bond election duly called and held for Valencia County, New Mexico (the "County") on the 21st day of August, 2018, the electors of the County authorized the County's Board of Commissioners (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 (the "Project"):

<u>Purpose:</u>	<u>Amount Authorized At Election</u>	<u>Amount Previously Issued</u>	<u>Amount To Be Issued</u>
Constructing and repairing public roads and purchasing capital equipment for such projects.	\$5,100,000	\$2,550,000	\$2,550,000

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 (the "Bonds") be issued at this time; and

WHEREAS, the Board has received an offer to purchase the Bonds from the New Mexico Finance Authority (the "Finance Authority") pursuant to a Bond Purchase Agreement, a form of which has been presented to the Board with this Ordinance; and

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WHEREAS, pursuant to Sections 6-14-8 through 6-14-12 NMSA 1978, as amended (the "Supplemental Public Securities Act"), the Governmental Unit is authorized to adopt a resolution delegating to one or more of its officers the authority to determine the final terms for public securities to be issued so long as such final terms are within the parameters established by an authorizing resolution or ordinance adopted in conformity with the Supplemental Public Securities Act; and

WHEREAS, in order to, among other things, allow the Governmental Unit to grant to its Manager and/or finance Director the authority (a) to determine any or all of the following terms of the Bonds: (i) the interest and principal payment dates, (ii) the interest rates, or (iii) the redemption provisions (b) to make any changes with respect thereto from those terms which were before the Governing Body at the time of adoption of this Ordinance, provided such terms do not exceed the parameters set forth for such terms in this Ordinance; and

WHEREAS, the Board has determined and does hereby determine that the Bonds shall be issued at this time under the authority of the New Mexico Constitution and applicable law as hereinafter set forth, and desires to fix the form and details of the Bonds and to provide for the levy of taxes for the payment of the principal of and interest on the Bonds; and

WHEREAS, no action or suit has been commenced by any person or corporation contesting the validity of any of the proceedings directed toward the issuance and sale of the Bonds heretofore taken by the Board and the officers of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY, NEW MEXICO:

Section 1. All actions heretofore taken by the Board and the officers and employees of the County directed toward the issuance and sale of the Bonds to secure funds for the Project be, and the same hereby are, ratified, approved and confirmed, including the sale of the Bonds in the amount of \$2,550,000 to the New Mexico Finance Authority pursuant to the Bond Purchase Agreement which is hereby approved. The Chairman of the Board is authorized to complete and modify the Bond Purchase Agreement consistent with this Ordinance.

Section 2. The Board hereby declares that it has considered all relevant information and data and hereby makes the following findings:

A. Moneys available for the Project from all sources other than the issuance of general obligation bonds are not sufficient to defray the cost of the Project.

B. The full faith and credit of the County may lawfully be pledged to secure the payment and redemption of the Bonds.

C. The issuance of the Bonds to provide funds for the financing of the Project is necessary and in the interest of the public health, safety, morals and welfare of