

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION 2017-16**

3 **INTRODUCED BY:**

4
5 Councilor Carmichael A. Dominguez

6 Councilor Joseph M. Maestas

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10 **A RESOLUTION**

11 **AUTHORIZING THE DEFEASANCE AND REDEMPTION OF THE OUTSTANDING CITY**
12 **OF SANTA FE, NEW MEXICO GENERAL OBLIGATION BONDS, SERIES 2008 (THE**
13 **"BONDS"); AUTHORIZING THE PUBLICATION OF A NOTICE OF DEFEASANCE AND**
14 **REDEMPTION OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF**
15 **AN ESCROW AGREEMENT BY AND BETWEEN THE CITY AND BOKF, NA, AS**
16 **ESCROW AGENT; REPEALING ACTION PREVIOUSLY TAKEN TO THE EXTENT**
17 **INCONSISTENT WITH THE PROVISIONS HEREOF.**

18
19 **WHEREAS,** at the general obligation bond election held for the City of Santa Fe (the
20 "City"), State of New Mexico, on the 4th day of March, 2008, the electors of the City authorized the
21 City Council of the City (the "City Council") to contract bonded indebtedness on behalf of the City
22 and upon the credit thereof by issuing general obligation bonds of the City (the "Bonds") to secure
23 funds for the following purpose (the "Project"), in the following amount:

	Amount	Amount	
	Authorized	Previously	Amount
<u>Purpose</u>	<u>At Election</u>	<u>Issued</u>	<u>To be Issued</u>
To acquire land for, and to improve, public parks, trails and open space for recreational purposes	\$20,000,000	\$-0-	\$20,000,000

WHEREAS, the City issued its General Obligation Bonds, Series 2008 (the “Bonds”), in an original aggregate principal amount of \$20,000,000 on June 10, 2008; and

WHEREAS, there is currently outstanding \$13,535,000.00 in principal amount of the Bonds, as listed below (the “Defeased Bonds”):

Maturity Date	Amount Maturing	Interest Rate
(August 1)		
2017	\$ 970,000	4.000%
2018	1,015,000	4.000%
2019	1,060,000	5.000%
2020	1,105,000	4.100%
2021	1,155,000	4.200%
2022	1,210,000	4.250%
2023	1,270,000	4.250%
2024	1,335,000	4.250%
2025	1,400,000	4.375%
2026	1,470,000	4.400%
2027	1,545,000	4.500%

1 **WHEREAS**, the Bonds maturing on and after August 1, 2019 are subject to redemption at
2 the option of the City on and after August 1, 2018 (the “Early Redemption Date”) without premium;
3 and

4 **WHEREAS**, the Governing Body has determined that it is advisable to deposit legally
5 available funds in escrow sufficient to pay the principal of and interest on the Defeased Bonds
6 coming due on and until the Early Redemption Date, and to redeem the Defeased Bonds on the Early
7 Redemption Date, for the purpose of generating interest cost savings and other benefits; and

8 **WHEREAS**, a form Escrow Agreement by and between the City and BOKF, NA, as Escrow
9 Agent, which includes a form of Notice of Defeasance and Redemption, has been presented to the
10 Governing Body for approval in connection with the adoption of this Resolution.

11 **THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF**
12 **SANTA FE, NEW MEXICO:**

13 Section 1. Findings. It is hereby found and determined that the defeasance of the
14 outstanding principal amounts of the Bonds will achieve interest savings costs and other benefits, and
15 is advisable and in the best interest of the City and its residents.

16 Section 2. Election to Defeasance Bonds; Approval of Notice of Defeasance and
17 Redemption.

18 A. The City has irrevocably elected and does hereby declare its intent to
19 exercise, on behalf of and in the name of the City its option to redeem, on August 1, 2018, all of the
20 outstanding Bonds maturing on and after August 1, 2019 at a redemption price equal to the principal
21 amount of the Bonds plus accrued interest to August 1, 2018.

22 B. The Bonds shall be defeased as provided in the Escrow Agreement, the form
23 of which has been presented to the Governing Body in connection with this Resolution. The form of
24 Notice of Defeasance and Redemption included in the Escrow Agreement is hereby approved.

25 C. The cost of defeasing and redeeming the Bonds shall be paid from legally

1 available funds of the City.

2 Section 3. Appointment of Escrow Agent and Approval of Escrow Agreement. BOKF,
3 NA is hereby appointed Escrow Agent for the Defeased Bonds. The Escrow Agreement, in
4 substantially the form presented in connection with this Resolution, is hereby approved. The Mayor
5 is hereby authorized to execute and deliver the Escrow Agreement to the Escrow Agent, with only
6 such changes as are necessary or convenient to carry out the purposes of this Resolution.

7 Section 4. Repealer. All bylaws and resolutions, or parts thereof, inconsistent herewith
8 are hereby repealed to the extent of such inconsistency. This repealer shall not be construed as
9 reviving any bylaw or resolution, or part thereof, heretofore repealed.

10 Section 5. Severability. If any section, paragraph, clause or provision hereof shall be
11 held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph,
12 clause or provision shall not affect any of the remaining provisions of this Sale Resolution.

13 Section 7. Publication. A title and general summary of the subject matter contained in
14 this Resolution shall be published in substantially the following form after adoption of this
15 Resolution:

16
17 (Form of Summary of Resolution for Publication)

18 City of Santa Fe, New Mexico

19 Notice of Adoption of Resolution

20 Notice is hereby given of the title and of a general summary of the subject matter contained in
21 a Resolution duly adopted and approved by the Governing Body of the City of Santa Fe on February
22 22, 2017 relating to the defeasance and redemption of the City's General Obligation Bonds, Series
23 2008. Complete copies of the Resolution are available for public inspection during the normal and
24 regular business hours of the City Clerk in the office of the City Clerk, City Hall, 200 Lincoln
25 Avenue, Santa Fe, New Mexico.

1 The title of the Resolution is:

2 **A RESOLUTION AUTHORIZING THE DEFEASANCE AND REDEMPTION OF THE**
3 **OUTSTANDING CITY OF SANTA FE, NEW MEXICO GENERAL OBLIGATION BONDS,**
4 **SERIES 2008 (THE "BONDS"); AUTHORIZING THE PUBLICATION OF A NOTICE OF**
5 **DEFEASANCE AND REDEMPTION OF THE BONDS; AUTHORIZING THE**
6 **EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT BY AND BETWEEN**
7 **THE CITY AND BOKF, NA, AS ESCROW AGENT; REPEALING ACTION PREVIOUSLY**
8 **TAKEN TO THE EXTENT INCONSISTENT WITH THE PROVISIONS HEREOF.**

9 A general summary of the subject matter contained in the Resolution appears in its title.

10 WITNESS my hand and the seal of the City on _____, 2017.

11 CITY OF SANTA FE

12
13 (SEAL)

14 _____
15 Yolanda Y. Vigil, City Clerk

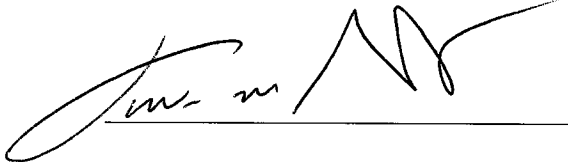
16 (Form of Summary of Resolution for Publication)

17 Section 8. Effective Date. This Resolution shall become effective immediately upon its
18 passage and adoption by the Governing Body.

19 PASSED, APPROVED and ADOPTED this 22nd day of February, 2017.

20 GOVERNING BODY OF THE

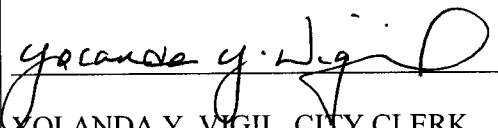
21 CITY OF SANTA FE

22 
23 _____

24 JAVIER M. GONZALES, MAYOR

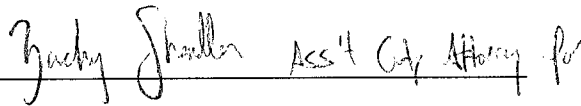
1 ATTEST:

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4 YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

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8 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2017/2017-16 Defeasance of 2008 GO Bonds*