

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

2 **RESOLUTION NO. 2012-65**

3 **INTRODUCED BY:**

4
5 Mayor Coss

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10 **A RESOLUTION**

11 **DECLARING THE GOVERNING BODY'S OFFICIAL INTENT TO REIMBURSE ITSELF**
12 **WITH THE PROCEEDS OF A FUTURE TAX-EXEMPT BORROWING FOR CAPITAL**
13 **EXPENDITURES PAID TO ACQUIRE, CONSTRUCT AND IMPROVE THE MARKET**
14 **STATION CONDOMINIUM AT THE SANTA FE RAIL YARD ACQUISITION PROJECT;**
15 **IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR**
16 **SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION**
17 **THEREWITH.**

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19 **WHEREAS**, the City of Santa Fe (the "City"), in the State of New Mexico (the "State"), is a
20 political subdivision duly organized and existing pursuant to the Constitution and laws of the State;
21 and

22 **WHEREAS**, the City Council (the "Governing Body") is the governing body of the City; and

23 **WHEREAS**, the Governing Body has determined that it is in the best interest of the City to
24 make certain capital expenditures in connection with the Project (as hereinafter defined); and

25 **WHEREAS**, the City currently intends and reasonably expects to participate in a tax-exempt

1 borrowing to finance such capital expenditures within 18 months of the date of such capital
2 expenditures or the placing in service of the Project, whichever is later (but in no event more than
3 three years after the date of the original expenditure of such moneys), including an amount not to
4 exceed \$5,000,000 for reimbursing the City for the portion of such capital expenditures made no
5 earlier than 60 days prior to the date hereof or to be made after the date hereof but before such
6 borrowing; and

7 **WHEREAS**, the Governing Body hereby desires to declare its official intent, pursuant to 26
8 C.F.R. §1.150-2, to reimburse the City for such capital expenditures with the proceeds of the City's
9 future tax-exempt borrowing.

10 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTE FE, NEW MEXICO THAT:**

12 **Section 1.** Declaration of Official Intent. The City presently intends and reasonably
13 expects to finance a portion of the costs of acquiring, constructing and improving the Market Station
14 Condominium at the Santa Fe Railyard Acquisition Project (the "Project") with moneys currently held
15 in City's General Fund.

16 **Section 2.** Dates of Capital Expenditures. All of the capital expenditures within the
17 scope of this Resolution were made no earlier than 60 days prior to the date of this Resolution.

18 **Section 3.** Issuance of Bonds or Notes. The City presently intends and reasonably
19 expects to participate in a tax-exempt borrowing within 18 months of the date of the expenditure of
20 moneys on the Project or the date upon which the Project is placed in service or abandoned,
21 whichever is later (but in no event more than three years after the date of the original expenditure of
22 such moneys), and to allocate an amount not to exceed \$5,000,000 of the proceeds thereof to
23 reimburse the City for its prior expenditures in connection with the Project.

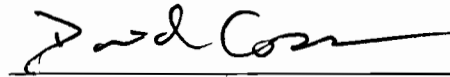
24 **Section 4.** Confirmation of Prior Acts. All prior acts of the officials, agents and
25 employees of the City that are in conformity with the purpose and intent of this Resolution, and in

1 furtherance of the Project, shall be and the same hereby are in all respects ratified, approved and
2 confirmed.

3 **Section 5.** Repeal of Inconsistent Resolutions. All other resolutions of the Governing
4 Body or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of
5 such inconsistency.

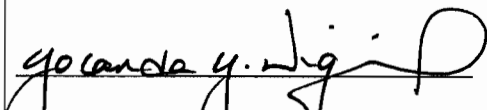
6 **Section 6.** Effective Date of Resolution. This Resolution shall take effect immediately
7 upon its adoption.

8 PASSED, APPROVED and ADOPTED this 27th day of June, 2012.

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12 DAVID COSS, MAYOR

13 ATTEST:

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16 YOLANDA Y. VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

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20 GENO ZAMORA, CITY ATTORNEY

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25 CAO/Melissa/Resolutions 2012/Market Station Condo (NMFA Loan App - Reimbursement)