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1           WHEREAS, the Council hereby determines and declares that all of the projects (the  
2 "Projects") for which the questions of issuing the City's general obligation bonds (the "GO Bond  
3 Election Questions") and the effectiveness of an ordinance authorizing the issuance of the City's  
4 gross receipts tax revenue bonds (the "GRT Bond Election Questions" and, collectively with the  
5 GO Bond Election Questions, the "Bond Election Questions") are set forth herein are or will be  
6 for public purposes; and

7           WHEREAS, a regular municipal election is required to be held in the City of Albuquerque  
8 on Tuesday, the 4th day of October, 2011, at which an election relating to the offices of  
9 Councillor of Districts 2, 4, 6, and 8 will be held in accordance with the City Charter; and

10           WHEREAS, the Council hereby determines that a special municipal election will be held  
11 in the City of Albuquerque on Tuesday, the 4<sup>th</sup> day of October, 2011 relating to the Bond  
12 Election Questions.

13 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
14 ALBUQUERQUE:

15           Section 1. All action, not inconsistent with the provisions of this Resolution,  
16 heretofore taken by the Council and the officers of the City, directed toward the Bond Election  
17 Questions and the Projects described or referred to in the Bond Election Questions, including,  
18 without limiting the generality of the foregoing, the calling and holding of an election to authorize  
19 the issuance of the general obligation bonds and the gross receipts tax revenue bonds  
20 (respectively, the "GO Bonds" and the "GRT Bonds, and, collectively, the "Bonds") to finance  
21 the Projects, be, and the same hereby is, ratified, approved and confirmed. Funding for projects  
22 indentified within one GO Bond purpose may be reallocated to another project within the same  
23 purpose, provided that any such reallocation is approved by appropriate legislation.

24           Section 2. At the next regular city election of municipal officers to be held in the City  
25 a special election (such regular election and special election being sometimes referred to herein  
26 as the "Election") shall be held and there shall be submitted to the City's qualified, registered  
27 electors and, with respect to the GO Bond Questions but not the GRT Bond Question, to the  
28 nonresident municipal electors as herein provided ("nonresident municipal electors"), the Bond  
29 Election Questions set forth in Section 8 hereof. A registered, nonresident municipal elector  
30 means any person who on the date of election, is a qualified registered elector of Bernalillo  
31 County but who is a resident of that portion of Bernalillo County which is outside of the  
32 Albuquerque city limits, who has paid a property tax on property located within the City of  
33 Albuquerque during the year preceding the election and who has registered with the City Clerk  
34 of Albuquerque his or her intention to vote at the general obligation bond election by filing with

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1 the office of the City Clerk of Albuquerque a certificate of eligibility announcing such person's  
2 intention to vote at such election on the questions of creating municipal debt.

3 Section 3. For the purpose of this Resolution and solely for the purpose of voting on  
4 the GO Bond Election Questions, all territory within the County of Bernalillo is a "Municipal  
5 Precinct." All territory in the Municipal Precinct and not within the City's boundaries shall  
6 constitute one voting division to be known as the "Nonresident Voting Division." The  
7 Nonresident Voting Division shall include the territory within the boundary of any other  
8 municipality within the County. The polling place within the City for nonresident municipal  
9 electors desiring to vote on the GO Bond Election Questions shall be at a location in  
10 Albuquerque, New Mexico, as designated by the City Clerk, which polling place shall be  
11 separate from any other polling place located within the City.

12 Section 4. The City's qualified, registered, resident electors are eligible to vote on  
13 candidates, questions and Bond Election Questions being submitted at the Election. The City's  
14 qualified, registered, nonresident electors are eligible to vote only on the GO Bond Election  
15 Questions. No judge or clerk of election shall allow a person to vote unless he or she is duly  
16 registered as a voter with the Bernalillo County Clerk and unless he or she meets the  
17 qualifications of a resident elector or a nonresident municipal elector.

18 Section 5. All persons desiring to vote for any candidate or on any questions being  
19 submitted at the Election (including nonresident municipal electors who may vote only on the  
20 GO Bond Election Questions) must be registered to vote. Any person who is otherwise qualified  
21 to vote and who is not currently registered to vote may register at the office of the Bernalillo  
22 County Clerk, 6<sup>th</sup> Floor, One Civic Plaza, Albuquerque, New Mexico, or at the office of any duly  
23 appointed deputy registration officer on or before 5:00 p.m., on the twenty-eighth day  
24 immediately preceding the election.

25 Section 6. Not more than sixty, nor less than fifteen, days before the Election, any  
26 nonresident municipal elector desiring to vote on the GO Bond Election Questions shall file with  
27 the City Clerk a certificate of eligibility which shall be the nonresident municipal elector's  
28 additional registration requirement for voting at the Election on the GO Bond Election Questions.  
29 Each nonresident municipal elector must file such certificate of eligibility in addition to  
30 registering to vote with the Bernalillo County Clerk. The certificate of eligibility shall be in  
31 substantially the following form:

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(Form of Certificate of Eligibility)  
NONRESIDENT MUNICIPAL ELECTOR'S CERTIFICATE  
GENERAL OBLIGATION BOND ELECTION  
ALBUQUERQUE, NEW MEXICO

OCTOBER 4, 2011

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

I, \_\_\_\_\_ (last name), \_\_\_\_\_ (first name) \_\_\_\_\_  
(middle name) desire to vote at the municipal election to be held on October 4, 2011, and  
request the County Clerk and County Treasurer of the County of Bernalillo to certify that I am a  
nonresident municipal elector of Albuquerque, New Mexico.

Signed:  
\_\_\_\_\_

(Signature of Nonresident Municipal Elector)  
I hereby certify that the above named nonresident  
municipal elector is registered to vote in this county.

Signed:  
\_\_\_\_\_

(County Clerk)

I hereby certify that the above named nonresident municipal elector has paid a tax on  
property within the City of Albuquerque, New Mexico, during the preceding year, to wit, on  
\_\_\_\_\_, 2011.

Signed: \_\_\_\_\_  
(County Treasurer)

(End of Form of Certificate of Eligibility)

Section 7. Absentee voting will be permitted as authorized by state law, as amended  
and supplemented. Applications for absentee ballots may be obtained from the City Clerk's  
Office. The absentee voters' polling place will be located at the City Clerk's Office, or as may be  
otherwise designated by the City Clerk. The judges and clerks will be those persons so  
designated for the regular municipal election.

Section 8. The Bond Election Questions shall be submitted on paper ballots. The  
votes cast for and against each Bond Election Question at the Election shall be tabulated on the  
election tabulation system counters. The paper ballots shall contain the designation clauses for

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1 the Bond Election Questions and shall be printed in English and Spanish with plain, clear type in  
2 black ink on white material of such size as will fit the paper ballots. The complete Bond Election  
3 Questions, in English and Spanish, shall be placed near the voting booths in plain view so that  
4 the complete questions may be examined by the qualified voters before they vote. The ballot  
5 faces shall be in substantially the following form:

- 6 1. FOR
  - 7 GENERAL OBLIGATION
  - 8 PUBLIC SAFETY
  - 9 BONDS

10 AGAINST

11 Shall the City of Albuquerque issue \$10,555,000 of its  
12 general obligation bonds to design, develop, study,  
13 construct, modernize, automate, renovate, rehabilitate,  
14 recondition, landscape, furnish, enhance and otherwise  
15 improve, and to acquire buildings, property, vehicles,  
16 apparatus, and equipment for, police and fire department  
17 facilities?

- 18 2. FOR
  - 19 GENERAL OBLIGATION SENIOR,
  - 20 FAMILY, COMMUNITY CENTER,
  - 21 AND COMMUNITY ENHANCEMENT
  - 22 PROJECT BONDS

23 AGAINST

24 Shall the City of Albuquerque issue \$11,514,000 of its  
25 general obligation bonds to plan, design, develop,  
26 construct, demolish, equip, reconstruct, renovate,  
27 rehabilitate, expand, repair, study, landscape, streetscape,  
28 enhance and otherwise improve, and to acquire property  
29 for, City-owned community centers including those for  
30 families, youth, senior citizens, and for economic  
31 development projects and for infrastructure and/or facility  
32 improvements associated with Metropolitan  
33 Redevelopment Area projects and for community  
34 enhancement projects?

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1 3. FOR  
2 GENERAL OBLIGATION  
3 PARKS AND RECREATION  
4 BONDS

5 AGAINST

6 Shall the City of Albuquerque issue \$22,473,000 of its  
7 general obligation bonds to study, map, plan, design,  
8 develop, construct, rehabilitate, renovate, expand, furnish,  
9 equip, enhance and otherwise improve and to acquire  
10 property, vehicles and equipment for park and recreational  
11 facilities, including public parks and facilities within those  
12 parks, swimming pools, tennis courts, sports fields and  
13 other recreational facilities, open space, medians,  
14 bikeways, bosque lands, and trails?

15 4. FOR GENERAL OBLIGATION ENERGY AND WATER CONSERVATION,  
16 PUBLIC FACILITIES, AND  
17 SYSTEM MODERNIZATION BONDS

18 AGAINST

19 Shall the City of Albuquerque issue \$23,104,000 of its  
20 general obligation bonds to modernize, make energy-  
21 and/or water-efficient, upgrade, equip, improve, acquire,  
22 design, survey, develop, construct, rehabilitate, renovate,  
23 maintain, expand, furnish, equip, enhance, and otherwise  
24 improve, and to acquire property, vehicles and equipment  
25 for, public buildings, facilities, and systems?

26 5. FOR  
27 GENERAL OBLIGATION  
28 LIBRARY BONDS

29 AGAINST

30 Shall the City of Albuquerque issue \$9,545,000 of its  
31 general obligation bonds to acquire property, study, plan,  
32 design, develop, construct, reconstruct, renovate,  
33 rehabilitate, modernize, preserve, automate, upgrade,  
34 landscape and otherwise improve, and to acquire books,

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- 1 media, and equipment for, public libraries?
- 2 6. FOR
- 3 GENERAL OBLIGATION
- 4 STREET BONDS
- 5 AGAINST
- 6 Shall the City of Albuquerque issue \$50,051,000 of its
- 7 general obligation bonds to study, design, develop,
- 8 construct, reconstruct, rehabilitate, renovate, automate,
- 9 modernize, sign, enhance, landscape and otherwise
- 10 improve, and to acquire property and equipment for
- 11 municipal streets and roads, interstate roadways and
- 12 interchanges, medians, trails, bikeways, walkways,
- 13 sidewalks, railroad crossings, and bridges?
- 14 7. FOR
- 15 GENERAL OBLIGATION
- 16 PUBLIC TRANSPORTATION BONDS
- 17 AGAINST
- 18 Shall the City of Albuquerque issue \$6,262,000 of its
- 19 general obligation bonds to design, develop, construct,
- 20 rehabilitate, renovate, expand, recondition, modernize,
- 21 automate, study, furnish, enhance and otherwise improve,
- 22 and to acquire property, vehicles, and equipment for public
- 23 transportation facilities?
- 24 8. FOR
- 25 GENERAL OBLIGATION
- 26 STORM SEWER SYSTEM BONDS
- 27 AGAINST
- 28 Shall the City of Albuquerque issue \$13,080,000 of its
- 29 general obligation bonds to plan, design, develop,
- 30 construct, reconstruct, rehabilitate, renovate, expand,
- 31 extend, enhance, study, monitor and otherwise improve,
- 32 and to acquire property and equipment for the storm sewer
- 33 system?

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1 9. FOR

2 GENERAL OBLIGATION MUSEUM AND  
3 CULTURAL FACILITY BONDS

4 AGAINST

5 Shall the City of Albuquerque issue \$3,889,000 of its  
6 general obligation bonds to study, design, develop,  
7 construct, reconstruct, rehabilitate, renovate, repair,  
8 refurbish, modernize, preserve, maintain, expand, enhance  
9 and otherwise improve, and to acquire artifacts, exhibits,  
10 furnishings and equipment for City-owned museums and  
11 cultural facilities?

12 10. FOR

13 GENERAL OBLIGATION  
14 AFFORDABLE HOUSING BONDS

15 AGAINST

16 Shall the City of Albuquerque issue \$10,100,000 of its  
17 general obligation bonds in support of the Workforce  
18 Housing Act to provide resources towards the construction  
19 and rehabilitation of high quality, permanently affordable  
20 housing for low to moderate working families, including  
21 affordable senior rental?

22 11. FOR

23 GENERAL OBLIGATION ZOO AND  
24 BIOLOGICAL PARK BONDS

25 AGAINST

26 Shall the City of Albuquerque issue \$3,414,000 of its  
27 general obligation bonds to study, design, develop,  
28 construct, reconstruct, rehabilitate, renovate, repair,  
29 refurbish, modernize, preserve, maintain, expand,  
30 enhance, landscape and otherwise improve, and to  
31 acquire artifacts, animals, plant material, exhibits  
32 furnishings and equipment for the Zoo, Tingley Beach,  
33 Aquarium, and Botanic Garden?

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1 12. FOR  
2 AUTHORIZING THE  
3 ISSUANCE OF GROSS RECEIPTS  
4 TAX REVENUE BONDS  
5 AGAINST

6 Shall the City of Albuquerque issue up to \$50,000,000 of  
7 its gross receipts tax revenue bonds to finance certain  
8 capital projects identified as part of ABQ the Plan?  
9

10  
11 (End of Form of Ballot Faces)

12 Section 9. Paper ballots shall be used and may be in substantially the following  
13 form (provided that such questions may be included on the same ballot that is provided for the  
14 election of candidates for office except that ballots for nonresident municipal voters shall contain  
15 only such Bond Election Questions):

16 (Form of Face of Ballot)

17 CONSOLIDATED PRECINCT

18 NO. \_\_\_\_\_

19 ABSENTEE (OR)

20 EMERGENCY BALLOT

21 NO. \_\_\_\_\_

22 OFFICIAL PAPER BALLOT

23 CITY OF ALBUQUERQUE, NEW MEXICO

24 GENERAL OBLIGATION BOND ELECTION

25 OCTOBER 4, 2011

26 INSTRUCTIONS TO ELECTOR: Each elector shall prepare his or her ballot, indicating his or  
27 her approval or disapproval of such proposition by shading in the arrow pointing to his or her  
28 choice on each proposition and shall then deposit his or her ballot in the separate ballot box  
29 provided for such purpose.

30 1. General Obligation Public Safety Bonds Question Submitted:

31 [Here insert in full the General Obligation Public Safety Bonds Question as set out as the  
32 ballot face.]

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1	:	FOR General Obligation	:	:
2	:	Public Safety Bonds	:	:
3	:	AGAINST General Obligation	:	:
4	:	Public Safety Bonds	:	:
5	2.	General Obligation Senior, Family, Community Center, and Community Enhancement		
6		Project Bonds Question Submitted:		
7		[Here insert in full the General Obligation Senior, Family, Community Center, and		
8		Community Enhancement Project Bonds Question as set out as the ballot face.]		
9	:	FOR General Obligation Senior,	:	:
10	:	Family, Community Center,	:	:
11	:	and Community Enhancement	:	:
12	:	Project Bonds	:	:
13	:	AGAINST General Obligation Senior,	:	:
14	:	Family, Community Center,	:	:
15	:	and Community Enhancement	:	:
16	:	Project Bonds	:	:
17	3.	General Obligation Parks and Recreation Bonds Question Submitted:		
18		[Here insert in full the General Obligation Parks and Recreation Bonds Question as set		
19		out as the ballot face.]		
20	:	FOR General Obligation	:	:
21	:	Parks and Recreation Bonds	:	:
22	:	AGAINST General Obligation	:	:
23	:	Parks and Recreation Bonds	:	:
24	4.	General Obligation Energy and Water Conservation, Public Facilities, and System		
25		Modernization Bonds Question Submitted:		
26		[Here insert in full the General Obligation Energy and Water Conservation, Public		
27		Facilities, and System Modernization Bonds Question as set out as the ballot face.]		
28	:	FOR General Obligation Energy and	:	:
29	:	Water Conservation, Public Facilities,	:	:
30	:	and System Modernization Bonds	:	:
31	:	AGAINST General Obligation Energy and	:	:
32	:	Water Conservation, Public Facilities,	:	:
33	:	and System Modernization Bonds	:	:

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1 5. General Obligation Library Bonds Question Submitted:  
2 [Here insert in full the General Obligation Library Bonds Question as set out as the ballot  
3 face.]

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4	:	FOR	General Obligation	:	:
5	:		Library Bonds	:	:

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6	:	AGAINST	General Obligation	:	:
7	:		Library Bonds	:	:

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8 6. General Obligation Street Bonds Question Submitted:  
9 [Here insert in full the General Obligation Street Bonds Question as set out as the ballot  
10 face.]

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11	:	FOR	General Obligation	:	:
12	:		Street Bonds	:	:

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13	:	AGAINST	General Obligation	:	:
14	:		Street Bonds	:	:

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15 7. General Obligation Public Transportation Bonds Question Submitted:  
16 [Here insert in full the General Obligation Public Transportation Bonds Question as set  
17 out as the ballot face.]

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18	:	FOR	General Obligation	:	:
19	:		Public Transportation Bonds	:	:

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20	:	AGAINST	General Obligation	:	:
21	:		Public Transportation Bonds	:	:

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22 8. General Obligation Storm Sewer System Bonds Question Submitted:  
23 [Here insert in full the General Obligation Storm Sewer System Bonds Question as set  
24 out as the ballot face.]

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25	:	FOR	General Obligation	:	:
26	:		Storm Sewer System Bonds	:	:

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27	:	AGAINST	General Obligation	:	:
28	:		Storm Sewer System Bonds	:	:

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29 9. General Obligation Museum and Cultural Facility Bonds Question Submitted:  
30 [Here insert in full the General Obligation Musuem and Cultural Facility Bonds Question  
31 as set out as the ballot face.]

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1	:	FOR	General Obligation	:	:
2	:		Museum and Cultural Facility Bonds	:	:
3	:	AGAINST	General Obligation	:	:
4	:		Museum and Cultural Facility Bonds	:	:
5	10.	General Obligation Affordable Housing Bonds Question Submitted:			
6		[Here insert in full the General Obligation Affordable Housing Bonds Question as set out			
7		as the ballot face.]			
8	:	FOR	General Obligation	:	:
9	:		Affordable Housing Bonds	:	:
10	:	AGAINST	General Obligation	:	:
11	:		Affordable Housing Bonds	:	:
12	11.	General Obligation Zoo and Biological Park Bonds Question Submitted:			
13		[Here insert in full the General Obligation Zoo and Biological Park Bonds Question as set			
14		out as the ballot face.]			
15	:	FOR	General Obligation	:	:
16	:		Zoo and Biological Park Bonds	:	:
17	:	AGAINST	General Obligation	:	:
18	:		Zoo and Biological Park Bonds	:	:
19					
20	12.	Gross Receipts Tax Revenue Bond Question Submitted:			
21		[Here insert in full the Gross Receipts Tax Revenue Bond Question as set out as the			
22		ballot face.]			
23	:	FOR	Gross Receipts Tax	:	:
24	:		Revenue Bonds	:	:
25	:	AGAINST	Gross Receipts Tax	:	:
26	:		Revenue Bonds	:	:
27					
28					

1 OFFICIAL BOND BALLOT

2 Bond Election

3 October 4, 2011

4 \_\_\_\_\_ (Facsimile Signature)

5 Clerk

6 (End of Ballot)

7 Section 10. The polls shall be open between the hours of 7:00 a.m., and 7:00 p.m.,  
8 on election day. Except as provided in Section 3 hereof and except for absentee voting, the  
9 polls shall be located in each of the precincts of the City, or consolidated precincts as shall be  
10 established by the City. Except as provided in Section 3 hereof and except for absentee voters,  
11 each voter shall cast his or her ballot at the polling place in the precinct or consolidated precinct  
12 in which he or she resides.

13 Section 11. The election on the Bond Election Questions shall be held and  
14 conducted in accordance with the Bond Election Act, the Municipal Election Code and the  
15 Election Code of the City Charter.

16 Section 12. The judges and clerks for the Nonresident Voting Division precinct will be  
17 appointed by the City Council as provided in the Municipal Election Code and the Election Code  
18 of the City Charter.

19 Section 13. The vote on the Bond Election Questions shall be canvassed as nearly  
20 as is possible in accordance with the Municipal Election Code, the Bond Election Act, and the  
21 Election Code of the City Charter, as amended and supplemented, and the City Clerk shall  
22 certify the results of the bond election and shall enter them in the official minute book of the City.

23 Section 14. The Bond Election Resolution shall be published in the English and  
24 Spanish languages at least once a week for four consecutive weeks by four insertions, the first  
25 insertion being published between fifty (50) and sixty (60) days before the day of the Election in  
26 a newspaper or newspapers which are of general circulation in the City and which otherwise  
27 qualify as legal newspapers in the City. The City Clerk is hereby instructed and authorized to  
28 carry out this provision.

29 Section 15. For further information concerning this election, consult the Office of the  
30 City Clerk, 11th Floor, One Civic Plaza NW, Albuquerque, New Mexico.

31 Section 16. The officers of the City be, and they hereby are authorized and directed  
32 to take all action necessary or appropriate to effectuate the provisions of this Resolution.

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1           Section 17.     If any section, paragraph, clause, or provision of this Resolution shall for  
2 any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such  
3 section, paragraph, clause or provisions shall not affect any of the remaining provisions of this  
4 Resolution. The Council hereby declares that it would have passed this resolution and each  
5 section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision  
6 being declared unconstitutional or otherwise invalid.

7           Section 18.     All resolutions and ordinances, or parts thereof, inconsistent herewith are  
8 hereby repealed to the extent only of such inconsistency. This repealer shall not be construed  
9 to revive any resolution or ordinance, or parts thereof, heretofore repealed.

10           Passed and adopted this \_\_\_\_ day of June, 2011, by a vote of \_\_\_\_ for and \_\_\_\_  
11 against.