

RESOLUTION

A RESOLUTION AMENDING THE RESOLUTION ADOPTED BY THE BOARD OF CARBON VALLEY PARK AND RECREATION DISTRICT, RELATING TO THE SUBMISSION OF A BALLOT QUESTION TO THE VOTERS OF THE DISTRICT AT THE NOVEMBER 3, 2015 ELECTION; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, Carbon Valley Park and Recreation District (the “District”), in the County of Weld and State of Colorado, is a quasi-municipal corporation and political subdivision duly organized and existing under the Constitution and the laws of the State of Colorado, particularly the Special District Act, Title 32, Article 1, Colorado Revised Statutes (the “Act”); and

WHEREAS, the members of the Board of Directors of the District (the “Board”) have been duly elected, chosen and qualified; and

WHEREAS, on August 4, 2015, the Board approved a resolution (the “Original Resolution”) calling a special election of the District on November 3, 2015 (the “Election”), approving a form of ballot question, and providing for other matters related thereto; and

WHEREAS, the Board has determined that it is in the best interest of the District to amend the ballot question to be submitted to the voters at the Election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CARBON VALLEY PARK AND RECREATION DISTRICT, WELD COUNTY, COLORADO:

Section Unless otherwise defined herein, all terms used herein shall have the same meaning as in the Original Resolution.

Section 2. All action heretofore taken (not inconsistent with the provisions of this resolution and the Original Resolution) by the District and the officers thereof, directed toward the Election and the objects and purposes herein stated is, ratified, approved and confirmed.

Section 3 The ballot question set forth in Section 8 of the Original Resolution is hereby superseded and replaced with the following:

BALLOT ISSUE 5A -- BOND QUESTION:

SHALL CARBON VALLEY PARK AND RECREATION DISTRICT DEBT BE INCREASED \$40 MILLION, WITH A REPAYMENT COST OF \$69.5 MILLION, AND SHALL DISTRICT

TAXES BE INCREASED \$3.5 MILLION ANNUALLY TO PAY THE DEBT INCURRED FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN PARK AND RECREATION IMPROVEMENTS OF THE DISTRICT, WHICH MAY INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- UPGRADING AND IMPROVING THE EXISTING RECREATION FACILITY IN FREDERICK TO INCLUDE:
 - A DEDICATED MULTI-PURPOSE ROOM WITH KITCHEN;
 - UPGRADED MEN’S AND WOMEN’S LOCKER ROOMS;
 - MODERNIZATION AND UPGRADES TO FACILITY INTERIOR TO INCLUDE LED LIGHTING, FLOORING AND FIXTURES;
 - ACQUISITION AND INSTALLATION OF NEW ENERGY EFFICIENT BOILERS AND UPGRADES TO MECHANICAL EQUIPMENT;
- CONSTRUCTING AND EQUIPPING OF A NEW REGIONAL RECREATION CENTER OF THE CARBON VALLEY PARK & RECREATION DISTRICT TO INCLUDE:
 - AQUATIC CENTER TO INCLUDE AN INDOOR SWIMMING POOL;
 - OUTDOOR SWIMMING POOL;
 - TWO ICE RINKS;
 - TWO FITNESS STUDIOS;
 - TWO FULL-SIZE GYMNASIUMS;
 - FULLY EQUIPPED CARDIO ROOM;
 - INDOOR RUNNING TRACK;
 - ATHLETIC FIELDS;
 - THREE COMMUNITY ROOMS WITH A KITCHEN;

AND SHALL THE MILL LEVY BE INCREASED IN EACH YEAR WITHOUT LIMITATION OF RATE BUT IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A RESERVE FOR SUCH PAYMENT), PROVIDED, HOWEVER, THAT SUCH ANNUAL AMOUNT SHALL NOT EXCEED \$3.5 MILLION; SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, NOTES, LOANS OR OTHER MULTIPLE FISCAL YEAR FINANCIAL OBLIGATIONS; TO BE SOLD IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE

PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS, AND WITH SUCH MATURITIES AS PERMITTED BY LAW AND AS THE DISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF THE PREMIUM OF NOT TO EXCEED THREE PERCENT; AND SHALL SUCH TAX REVENUES AND THE EARNINGS GENERATED FROM THE INVESTMENT OF SUCH BOND PROCEEDS AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Section 4 If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5 All bylaws, orders, resolutions and ordinances, or parts hereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution, or part thereof.

Section 6 Except as amended hereby, the provisions of the Original Resolution are hereby ratified, approved and confirmed.

ADOPTED AND APPROVED this September 3, 2015.

Roger Wingerberg, Chairman of the
Board and President
Carbon Valley Park and Recreation
District

(SEAL)

Attest:

Brenda J. Hall, Secretary of the Board of Directors
Carbon Valley Park and Recreation District

STATE OF COLORADO)
)
 COUNTY OF WELD) SS.
)
 CARBON VALLEY PARK AND)
 RECREATION DISTRICT)

I, Brenda Hall, the Secretary of Carbon Valley Park and Recreation District, Weld County, Colorado (the “District”), do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the “Resolution”) passed and adopted by the Board of Directors (the “Board”) of the District at a special meeting held on September 3, 2015.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the special meeting of September 3, 2015, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Roger Wingerberg, President	X			
Brenda Hall, Secretary	X			
Darrell Brunken	X			
Glen LaVanchy	X			
Connie Marshall			X	
Lita Reser	X			
Mike Schiers		X		

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Chairman of the Board and President, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

6. Notice of the special meeting September 3, 2015 in the form attached hereto as Exhibit A was posted 72 hours prior to the meeting at three public places within the District and at the office of the Weld County Clerk and Recorder in accordance with law.

WITNESS my hand and the seal of said District affixed this 3 day of September, 2015.

(SEAL)

Brenda J. Hall, Secretary

EXHIBIT A

(Form of Notice of Meeting)



CARBON VALLEY
PARK & RECREATION DISTRICT

REC CENTER 701 5TH STREET, FREDERICK, CO 80530 RECDISTRICT.COM 303.833.3660

**BOARD OF DIRECTORS
SPECIAL/PUBLIC MEETING
AGENDA
September 3, 2015**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Agenda Review
5. Public Comment
6. Public Hearing
 - a. Supporting Ballot Measure Revisions
7. Motion for adoption
 - a. Resolution Supporting Ballot Measure – With Revisions
8. Public Comments
9. Board Comments – Future agendas items / suggestions
10. Adjournment

Open Items

Individuals that desire to address the Board of Directors are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to five minutes) during Public Comment. Maximum time permitted for all Public Comment is 30-minutes.