



Carbon Valley Parks and Recreation District

Special Meeting Agenda

Board of Directors

6615 Frederick Way, Frederick

Senior Center

Wednesday, March 2nd, 2022

6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Meeting Agenda
5. Public Comment *(maximum time permitted for all Public Comment is 30 minutes)
6. Public Hearing
 - a. Tax Ballot Resolution
 - i. Carbon Valley PRD 2022 Tax Ballot Resolution
 1. Resolution 2022 – 2 Debt and Operation Ballot Measure
7. Discussion
 - a. Adoption and Approval of FCI Design Build Agreement
8. Adjournment

***Individuals that desire to address the Board of Directors are requested to sign up at the table at the entrance to the meeting room. Individuals are allotted 3 minutes of Public Comment during the entirety of the meeting. Maximum time permitted for all Public Comment during a meeting is 30 min.**

STATE OF COLORADO)
 CARBON VALLEY) ss.
 PARKS AND RECREATION DISTRICT)
 WELD COUNTY)

As the Secretary of the Board of Directors of Carbon Valley Parks and Recreation District, Weld County, Colorado (the “District”), I do hereby certify that:

1. Attached is a true and correct copy of a resolution (the “Resolution”) adopted by the Board of Directors (the “Board”) at a public meeting held on May 2, 2022.

2. Notice of the meeting was posted not less than twenty-four hours prior to the meeting in accordance with the open meetings provisions of the Colorado Sunshine Act of 1972 (Section 24-6-402, C.R.S.).

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

<u>Board Member</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstaining</u>
Cody Childers, President	_____	_____	_____	_____
Kevin Grinstead, Vice President	_____	_____	_____	_____
Jason Stolz, Secretary	_____	_____	_____	_____
Tina Cunningham	_____	_____	_____	_____
Bill Haid	_____	_____	_____	_____
Gary Mares	_____	_____	_____	_____
Tina Martin	_____	_____	_____	_____

4. The Resolution was duly approved by the Board, signed by the President of the Board, sealed with the District’s seal, attested by the Secretary of the Board and recorded in the minutes of the Board.

5. The meeting at which the Resolution was adopted was noticed, and all proceedings relating to the adoption of the Resolution were conducted, in accordance with all applicable bylaws, rules, regulations and resolutions of the District, in accordance with the normal procedures of the District relating to such matters, and in accordance with applicable constitutional provisions and statutes of the State of Colorado and all other applicable laws.

WITNESS my hand and the seal of the District as of May 2, 2022.

 Secretary

[SEAL]

RESOLUTION 2022-2

A RESOLUTION OF THE BOARD OF DIRECTORS OF CARBON VALLEY PARKS AND RECREATION DISTRICT CERTIFYING TWO BALLOT ISSUES TO BE SUBMITTED AT THE REGULAR DISTRICT ELECTION HELD ON MAY 3, 2022 AND SETTING THE BALLOT TITLES AND TEXT FOR THE BALLOT ISSUES.

WHEREAS, the Carbon Valley Parks and Recreation District, Weld County, Colorado (the “District”), is a validly existing special district, quasi-municipal corporation and political subdivision of the State of Colorado (the “State”); and

WHEREAS, the Board of Directors (the “Board”) of the District has determined that the interest of the District and the public interest or necessity demands the construction and equipping of a second community recreation center as described hereafter (the “Capital Project”); and

WHEREAS, there are not sufficient funds in the treasury of the District and the Board does not anticipate that existing sources of revenue will be sufficient to generate the moneys necessary to undertake the Capital Project on a pay-as-you-go basis, and that financing the construction of the Capital Project through the issuance of general obligation bonds is in the best interests of the District; and

WHEREAS, in order to provide for District operation and maintenance costs the Board has determined to seek voter approval to increase the District’s operating levy by one (1) mill; and

WHEREAS, the Board has determined to set the ballot titles and text for the respective ballot measures.

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CARBON VALLEY PARKS AND RECREATION DISTRICT, IN WELD COUNTY AND THE STATE OF COLORADO:

1. At the regular District election to be held on Tuesday, May 3, 2022 (the “Election Date”) there shall be submitted to the eligible electors of the District two ballot measures which shall be in the form attached hereto as Appendix A. The order of the ballot measures shall be the order in which they appear in Appendix A.

2. For purposes of Section 1-11-203.5, of the Colorado Revised Statutes, this Resolution shall serve to set the title and content of the ballot measures attached hereto as Appendix A hereof. Any petition to contest the form or content of the ballot title may be filed with the District Court within which the District is located, with a copy served on the District, within five days after the title of the ballot measures are set by the Board by adoption of this Resolution.

3. Not later than 60 days before the Election Date (Friday, March 4, 2022) Sue Blair, of Community Resource Services, LLC., as the Designated Election Official for the conduct of the Election, shall accept certification of the ballot measures set forth in Appendix A.

4. If a majority of the votes cast on the respective ballot measures attached hereto as Appendix A submitted at the election shall be in favor of one or both of such ballot measures, the District acting through the Board shall be authorized to proceed with the necessary action to issue bonds and/or levy taxes in accordance with the approved ballot measure or ballot measures. Any authority to issue bonds and/or levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to issue bonds and/or levy the taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

5. The officers and employees of the District are hereby authorized and directed to take all action necessary or appropriate to hold an election on the Election Date and to effectuate the provisions of this Resolution.

6. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board and the officers and employees of the District and directed toward holding the election for the purposes stated herein, including without limitation the execution of an intergovernmental agreement with the County Clerk in connection with the conduct of the election, are hereby ratified, approved and confirmed.

7. All prior acts, orders or resolutions, or parts thereof, by the District in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

8. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

9. This Resolution shall take effect immediately upon its passage.

ADOPTED AND APPROVED this 2nd day of March, 2022.

[DISTRICT SEAL]

By _____
President

ATTEST:

By _____
Secretary

APPENDIX A
FORM OF THE BALLOT MEASURES

BALLOT ISSUE __ - OPERATING MILL LEVY

SHALL CARBON VALLEY PARKS AND RECREATION DISTRICT TAXES BE INCREASED UP TO \$980,000 ANNUALLY (FOR COLLECTION IN CALENDAR YEAR 2023) AND BY SUCH ADDITIONAL AMOUNTS RAISED ANNUALLY THEREAFTER THROUGH A PROPERTY TAX MILL LEVY IMPOSED AT A RATE OF ONE (1) MILL FOR THE PURPOSE OF PROVIDING FOR OPERATION AND MAINTENANCE COSTS, WHICH INCREASE SHALL BE IN ADDITION TO THE MILL LEVY CURRENTLY IMPOSED BY THE DISTRICT; AND SHALL THE REVENUE FROM SUCH MILL LEVY INCREASE CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITATION SET FORTH IN SECTION 29-1-301 OF THE COLORADO REVISED STATUTES?

_____ YES/FOR _____ NO/AGAINST

BALLOT ISSUE __ - COMMUNITY RECREATION CENTER GENERAL OBLIGATION BOND

SHALL CARBON VALLEY PARKS AND RECREATION DISTRICT DEBT BE INCREASED UP TO \$29 MILLION, WITH A MAXIMUM REPAYMENT COST OF UP TO \$48.5 MILLION, AND SHALL DISTRICT TAXES BE INCREASED UP TO \$1.7 MILLION ANNUALLY FOR A PERIOD NOT EXCEEDING THIRTY (30) YEARS TO ADDRESS THE GROWING NEEDS AND EXPANDED SERVICES OF THE DISTRICT BY FINANCING THE COSTS OF CONSTRUCTING AND EQUIPPING A SECOND COMMUNITY RECREATION CENTER WHICH INCLUDES,

- INDOOR AND OUTDOOR POOLS,
- A MULTI-PURPOSE GYM WITH A RUNNING/WALKING TRACK,
- A CARDIO AND WEIGHT ROOM,
- A FITNESS AND CLASSROOM SPACE,
- A GROUP MEETING AND COMMUNITY ROOM, AND
- AN ONSITE CHILD WATCH AREA,

SUCH DEBT TO CONSIST OF THE ISSUANCE AND PAYMENT OF GENERAL OBLIGATION BONDS WHICH SHALL BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 3.75% PER ANNUM AND BE ISSUED AT SUCH TIMES AND PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE BOARD OF DIRECTORS MAY DETERMINE; AND SHALL AD VALOREM PROPERTY TAXES BE LEVIED WITHOUT LIMIT AS TO THE MILL RATE TO GENERATE AMOUNTS, NOT TO EXCEED THE AMOUNTS SET FORTH ABOVE, SUFFICIENT IN EACH YEAR TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH DEBT?

_____ YES/FOR _____ NO/AGAINST