

**RESOLUTION
BOARD OF DIRECTORS OF THE
KEN-CARYL RANCH METROPOLITAN DISTRICT**

RESOLUTION CALLING FOR A COORDINATED ELECTION ON NOVEMBER 5, 2024

WHEREAS, the Ken-Caryl Ranch Metropolitan District ("**District**") is a political subdivision of the State of Colorado, organized pursuant to the Colorado Special Districts Act, C.R.S. § 32-1-101, *et seq.* ("**Act**"), to provide a wide range of high-quality park and recreation services and amenities to the community. The District provides parks and recreation services including park maintenance, swimming pools, athletic fields, community space, tennis courts, recreation programs, and special events, among other passive and active recreational opportunities;

WHEREAS, after extensively considering this matter, the District's Board of Directors ("**Board**") has determined that, at an election conducted on November 5, 2024 ("**Election**"), it is in the best interests of the District and the community it serves to seek voter authorization to temporarily retain 2.229 mills out of the total 3.343 mills in property taxes it currently assesses to pay off its bond debt, which debt is scheduled to be paid off in 2024, such Election to be held in accordance with Article X, Section 20 of the Colorado Constitution and Title 1 of the Colorado Revised Statutes ("**Election Code**");

WHEREAS, by this Resolution, the Board seeks to set forth certain procedures concerning conducting the Election.

NOW, THEREFORE, be it resolved by the Board of Directors of the Ken-Caryl Ranch Metropolitan District that:

1. A mail ballot election of the District's eligible electors shall be held on November 5, 2024, between the hours of 7:00 a.m. and 7:00 p.m.
2. Pursuant to C.R.S. §§ 1-1-104(6.5) and 1-7-116, the Board has determined that the Election should be conducted as a coordinated election with the Jefferson County Clerk and Recorder ("**County Clerk**").
3. Pursuant to C.R.S. § 32-1-804(2), the Board is required to appoint a Designated Election Official ("**DEO**") for District matters related to conducting the Election in accordance with the Election Code, the Act, and all other applicable laws, rules, and regulations (collectively, "**Applicable Law**"). Accordingly, the Board hereby designates Sue Blair of Community Resource Services to serve as the District's DEO for the Election. The DEO shall have full authority to take any and all actions necessary and appropriate to conduct the Election in accordance with the requirements of Applicable Law.
4. Pursuant to C.R.S. § 1-7-116(2) the District is required to enter into an Intergovernmental Agreement ("**IGA**") with the County Clerk concerning conducting the Election no later than 70 days prior to the Election. The Board hereby authorizes the District's DEO, Board President, or District Manager to enter into the IGA with the County Clerk, and to submit the same to the County Clerk prior to the statutory deadline.
5. The District's DEO is authorized and directed to take all actions necessary or appropriate

to effectuate the provisions of this Resolution, including but not limited to any actions outlined in the IGA with the County Clerk.

6. The District understands that the IGA will outline the specific duties of each entity and specific deadlines to be met by the District, some of which may differ from deadlines contemplated by Applicable Law so that the County Clerk can meet its obligations.

7. At the Election, there shall be submitted to the District's eligible electors a ballot issue. The Board hereby determines that the content of the ballot issue to be submitted to the eligible electors shall be in substantially the form attached hereto as **Attachment A**.

8. If, at the Election, a majority of the eligible electors voting in the Election approve the ballot issue, the District, acting through the Board, shall be authorized to proceed with all necessary and appropriate actions to levy the retained property tax in accordance with the ballot issue approved by the voters. Any authority to levy the retained property tax, if conferred by the results of the Election, shall constitute continuing authority to levy the tax so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

9. Nothing in this Resolution commits the District to participate in the Election should the Board decide not to participate prior to the statutory deadline to submit the certified ballot content to the County Clerk, or should the Board withdraw the ballot issue prior to the deadline provided by C.R.S. § 1-5-208.

10. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a ballot issue election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue is set.

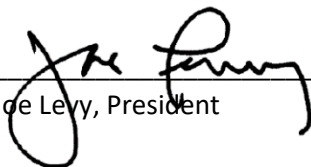
11. The District shall be responsible for the payment of any and all costs associated with conducting the Election, including its cancellation, if necessary, and those costs incurred pursuant to the terms and conditions of the IGA, if any.

12. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, its invalidity shall not affect any other provision.


13. The provisions of this Resolution shall take effect immediately.

ADOPTED this 23rd day of July, 2024, by the Board of Directors of Ken-Caryl Ranch Metropolitan District.

ATTEST:



Joe Levy, President



John Ostrom, Secretary

ATTACHMENT A

Ballot Issue

WITHOUT RAISING ITS CURRENT TOTAL PROPERTY TAX RATE, SHALL KEN-CARYL RANCH METROPOLITAN DISTRICT BE AUTHORIZED TO TEMPORARILY RETAIN 2.229 MILLS OUT OF THE TOTAL 3.343 MILLS IN PROPERTY TAXES IT CURRENTLY ASSESSES TO PAY OFF ITS BOND DEBT, WHICH DEBT IS SCHEDULED TO BE PAID OFF IN 2024, THROUGH THE ASSESSMENT OF A CAPITAL EXPENDITURES MILL LEVY, BEGINNING IN ASSESSMENT YEAR 2024 (FOR COLLECTION IN 2025) AND SUNSETTING AT THE END OF ASSESSMENT YEAR 2034 (FOR COLLECTION IN 2035), TO BE USED FOR FUTURE CAPITAL INFRASTRUCTURE AND THE MAINTENANCE OF CAPITAL INFRASTRUCTURE, AND SHALL ALL REVENUE AND ANY EARNINGS ON THIS TEMPORARILY RETAINED TAX CONSTITUTE A VOTER-APPROVED REVENUE CHANGE WITHIN THE MEANING OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND AN EXCEPTION TO THE LIMITATIONS SET FORTH IN SECTIONS 29-1-301 AND 29-1-1702 OF THE COLORADO REVISED STATUTES, AND ANY OTHER LAW?