

RESOLUTION

WHEREAS, the Mesa County Valley School District No. 51 (the “District”), in the County of Mesa and the State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

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

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any new tax, the creation of any debt, and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that it is in the interest of the District to provide the voters with the opportunity to decide whether to provide capital improvements and projects as described in Section 3 below, all at a cost estimated at approximately \$179.5 million (the “Project”); and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District’s electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 5, 2019, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder (the “County Clerk”) in Mesa County, Colorado (the “County”) will conduct the election on November 5, 2019, as a coordinated election (the “election”); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of creating general obligation indebtedness in the aggregate principal amount of not to exceed \$179.5 million to finance the Project and increasing taxes to pay such debt; and

WHEREAS, the District will not have held more than one other election on the question of contracting a bonded indebtedness for any purpose within the twelve months immediately preceding the election herein called.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, IN THE COUNTY OF MESA AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election, the Project, and the objects and purposes herein stated, are ratified, approved, and confirmed. Unless otherwise

defined herein, all terms used herein shall have the meanings specified in Section 22-42-101, C.R.S. or Section 1-1-104, C.R.S.

Section 2. The election shall be conducted as a coordinated election in the County pursuant to TABOR, Article 42 and 54 of Title 22, C.R.S., and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The election shall also be conducted by the County Clerk of the County. The District hereby determines that the election shall be held on November 5, 2019, and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerk shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 6, 2019, the following question in substantially the form hereinafter set forth to the County Clerk. Such question shall be submitted to the eligible electors of the District at the election.

BALLOT ISSUE

SHALL MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51 DEBT BE INCREASED \$179.5 MILLION WITH A REPAYMENT COST OF UP TO \$388 MILLION, AND SHALL DISTRICT TAXES BE INCREASED UP TO \$25.3 MILLION ANNUALLY TO PAY SUCH DEBT, WITH THE PROCEEDS TO BE USED FOR THE PURPOSE OF PROVIDING CAPITAL ASSETS FOR DISTRICT PURPOSES, WHICH MAY INCLUDE BUT ARE NOT LIMITED TO:

- REPLACING GRAND JUNCTION HIGH SCHOOL (CONSTRUCTED IN 1959) WITH A NEW FACILITY AT THE EXISTING SITE;
- INSTALLING SAFETY AND SECURITY IMPROVEMENTS TO CENTRAL HIGH SCHOOL, PALISADE HIGH SCHOOL AND FRUITA MONUMENT HIGH SCHOOL TO INCLUDE CONSTRUCTING SECURITY VESTIBULES AND ENCLOSING COURTYARDS;
- ELIMINATING EXTERIOR ENTRANCES AT CENTRAL HIGH SCHOOL, PALISADE HIGH SCHOOL AND FRUITA MONUMENT HIGH SCHOOL TO CREATE ONE SECURE ENTRY POINT, AND PROVIDING OTHER SAFETY AND SECURITY RENOVATIONS;
- RENOVATING AND IMPROVING FACILITIES TO INCREASE THE LIFE SPAN OF CENTRAL HIGH SCHOOL, PALISADE HIGH SCHOOL AND FRUITA MONUMENT HIGH SCHOOL;

AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR WITHOUT LIMITATION AS TO RATE BUT ONLY 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 THAT SUCH TAX INCREASE SHALL NOT PRODUCE REVENUE THAT WILL EXCEED THE MAXIMUM ANNUAL AMOUNT STATED ABOVE; SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS AND/OR TO PROVIDE DISTRICT MATCHING MONEY FOR ANY GRANT AWARDED BY THE STATE UNDER THE BUILDING EXCELLENT SCHOOLS TODAY PROGRAM; SUCH DEBT 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, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF THE PREMIUM OF NOT TO EXCEED ONE PERCENT; AND SHALL THE DISTRICT'S DEBT LIMIT BE INCREASED FROM AN AMOUNT EQUAL TO 20% OF THE DISTRICT'S ASSESSED VALUE TO AN AMOUNT EQUAL TO 6% OF THE DISTRICT'S ACTUAL VALUE, EACH AS CERTIFIED BY THE COUNTY ASSESSOR OF MESA COUNTY; AND SHALL SUCH TAX REVENUES AND THE EARNINGS 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. Bridget Story was appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to authorize general obligation indebtedness submitted at the election shall be in favor of incurring general obligation indebtedness as provided in such question, the District, acting through the Board, shall be authorized to proceed with the necessary action to incur general obligation indebtedness in accordance with such question.

Any authority to contract general obligation indebtedness, if conferred by the results of the election, shall be deemed and considered a continuing authority to contract the general obligation indebtedness 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.

Section 6. If a majority of the votes cast on the question authorize the issuance of bonds as described in the bond question set forth above, the District intends to issue such bonds in the approximate aggregate principal amount of \$179.5 million to pay the costs of the Project, including the reimbursement of certain costs incurred by the District prior to the execution and delivery of such bonds, upon terms acceptable to the District, as authorized in a resolution to be hereafter adopted and to take all further action which is necessary or desirable in connection therewith. The officers, employees, and agents of the District shall take all action necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all action necessary or desirable to finance the Project and to otherwise carry

out the transactions contemplated by the resolution. The District shall not use reimbursed moneys for purposes prohibited by Treasury Regulation §1.150-2(h). This resolution is intended to be a declaration of “official intent” to reimburse expenditures within the meaning of Treasury Regulation §1.150-2.

Section 7. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question 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 or ballot question is set.

Section 8. The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 9. All orders, bylaws, and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 10. 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.

ADOPTED AND APPROVED this July 1, 2019.

President
Mesa County Valley School District No. 51

(SEAL)

ATTEST:

Secretary
Mesa County Valley School District No. 51

STATE OF COLORADO)
)
 COUNTY OF MESA) SS.
)
 MESA COUNTY VALLEY)
 SCHOOL DISTRICT NO. 51)

I, Bridget Story, am the duly qualified and acting Secretary of the Board of Education of Mesa County Valley School District No. 51 (the “District”), in the County of Mesa and State of Colorado, and I 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 Education of the District (the “Board”) at a special meeting of the Board held on July 1, 2019.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of July 1, 2019, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Tom Parrish, President				
Paul Pitton, Vice President				
Dr. Amy L. Davis				
Doug Levinson				
John Williams				

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 President of the Board, sealed with the District seal, attested by the Secretary, and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the meeting of July 1, 2019, which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this July 1, 2019.

Secretary

(SEAL)

EXHIBIT A

(Attach Notice of Meeting)