

RESOLUTION NO. 2025-059

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK EXPRESSING THE INTENT OF THE TOWN TO BE REIMBURSED FOR CERTAIN EXPENSES RELATING TO THE CONSTRUCTION OF A RECREATION CENTER WITH ASSOCIATED AMENITIES AND SUPPORTING PUBLIC IMPROVEMENTS NEEDED IN CONNECTION THEREWITH

WHEREAS, the Town of Castle Rock, Colorado (the “Town”), is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the Town; and

WHEREAS, the members of the Town Council of the Town (the “Council”) have been duly appointed and qualified; and

WHEREAS, it is the current intent of Town to make capital expenditures for the construction of a recreation center with associated amenities and supporting public improvements needed in connection therewith (the “Project”); and

WHEREAS, the Town has determined that it is in the best interest of the Town to finance the Project through a tax-exempt financing which may include the issuance of certificates of participation; or by any other means legally available to the Town (the “Financing”); and

WHEREAS, the Town has determined that it is necessary to make capital expenditures in connection with the Project prior to the time that the Town arranges for the specific Financing for the Project; and

WHEREAS, it is the Town’s reasonable expectation that when such Financing occurs, the capital expenditures will be reimbursed with the proceeds of the Financing; and

WHEREAS, in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), it is the Town’s desire that this resolution shall constitute the “official intent” of the Council to reimburse such capital expenditures within the meaning of Treasury Regulation §1.150-2.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, AS FOLLOWS:

Section 1. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Town and the officers, employees and agents of the Town directed toward the Financing and the Project is hereby ratified, approved and confirmed.

Section 2. The Town intends to finance approximately \$75,000,000 to pay the costs of the Project, including the reimbursement of certain costs incurred by the Town prior to the receipt of any proceeds of the Financing, upon terms acceptable to the Town, as authorized in an ordinance to be hereafter adopted and to take all further action which is necessary or desirable in

connection therewith.

Section 3. The officers, employees and agents of the Town 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 this resolution.

Section 4. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provision of this resolution.

Section 5. The Town shall not use reimbursed moneys for purposes prohibited by Treasury Regulation §1.150-2(h).

Section 6. 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. If any section, paragraph, clause or provision of this resolution shall for any reason be held 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 8. All acts, orders and resolutions of the Town, and parts thereof, inconsistent with this resolution be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 9. The resolution shall be in full force and effect upon its passage and approval by the Town Council.

PASSED, APPROVED AND ADOPTED this 6th day of May, 2025, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Trish Muller, CPA, Finance Director