

RESOLUTION NO. _____-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO APPROVING THE ISSUANCE OF A SUBORDINATE TAXABLE LIMITED TAX GENERAL OBLIGATION AND PUBLIC IMPROVEMENT FEE LOAN 2014A BY THE COPPER RIDGE METROPOLITAN DISTRICT

WHEREAS, the City Council approved the Special District Policy on January 24, 2006, a City Financial Policy Regarding the Use of Districts (the "Policy"), providing for certain financial and other limitations in the use of special districts as an available method in financing public infrastructure; and

WHEREAS, pursuant to the provisions of Title 32, Colorado Revised Statutes, and pursuant to proper notice having been provided as required by law, the City Council held a public hearing and approved the formation and service plan of the Copper Ridge Metropolitan District (the "District") by Resolution No. 51-08 adopted on March 11, 2008; and

WHEREAS, City Council approved the District's issuance of a 2013 taxable limited tax general obligation loan in a principal amount not to exceed \$1,850,000 by Resolution No. 111-13 adopted on November 26, 2013 ; and

WHEREAS, both the Policy and the Service Plan require that prior to the District issuing bonds or similar indebtedness, it must first obtain City Council approval of the proposed issue and City Council's review to ensure compliance with the Service Plan and all applicable laws; and

WHEREAS, the District has submitted for review, and City Council has reviewed, various related documents, including a draft copy of a Loan Agreement authorizing a loan in a principal amount of up to \$3,000,000, an opinion of bond counsel, and an opinion of an external financial advisor (the "Loan Agreement Documents"); and

WHEREAS, the District, having satisfied the conditions of approval and other Service Plan prerequisites, requests approval of the proposed Loan Agreement; and

WHEREAS, City Council considered the proposed Loan Agreement as well as all other testimony and evidence presented at the June 24, and July 8, 2014 City Council meetings; and

WHEREAS, it appears City Council that the proposed Loan Agreement should be approved as provided in this Resolution.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The proposed Loan Agreement authorizing a loan in the principal amount of up to \$3,000,000 as described in the Loan Agreement Documents is hereby approved provided, however, that the Loan Agreement shall be solely an obligation of the District, as appropriate, and the City shall have no liability or other responsibility therefore, and receipt of the form disclosure is further acknowledged and approved.

Section 3. The District, having stated it is in compliance with the Service Plan and other applicable requirements, is hereby authorized to issue this debt in the structure substantially similar and consistent with the Loan Agreement Documents, which are hereby approved subject to changes and revisions as may be approved by City staff.

Section 4. This approval shall be effective for a maximum of one (1) year from the date of this Resolution. If the District desires to issue this debt any time after July 8, 2015 a new City Council approval will be required.

Section 5. This Resolution shall be effective upon its approval by City Council.

DATED at Colorado Springs, Colorado, this 8th day of July 2014.

Keith King, Council President

ATTEST:

Sarah Johnson, City Clerk